

NORTH CAROLINA REGISTER

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December 2, 1996**

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Tax Review Board
Community Colleges
Human Resources
Justice
Transportation
Rules Review Commission
Contested Case Decisions



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IN THIS ISSUE



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This issue contains documents officially filed through November 6, 1996.

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NORTH CAROLINA REGISTER
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(October 1996 - July 1997)

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				A. non-substantial economic impact			B. substantial economic impact			
volume and issue number	issue date	last day for filing	end of com- ment period	earliest reg- ister issue date for publica- tion of text	earliest date for public hearing	end of re- quired com- ment period	first legisla- tive day of the next regular ses- sion	end of re- quired com- ment period	deadline to submit to RRC for review at next RRC meeting	first legisla- tive day of the next regular ses- sion
11:13	10/01/96	09/10/96	12/02/96	12/16/96	10/16/96	10/31/96	11/20/96	01/30/97	12/02/96	12/20/96
11:14	10/15/96	09/24/96	12/16/96	01/02/97	10/30/96	11/14/96	11/20/96	01/30/97	12/16/96	12/20/96
11:15	11/01/96	10/11/96	12/31/96	01/02/97	11/18/96	12/02/96	12/20/96	05/10/98	12/31/96	01/21/97
11:16	11/15/96	10/24/96	01/14/97	01/15/97	12/02/96	12/16/96	12/20/96	05/10/98	01/14/97	01/21/97
11:17	12/02/96	11/06/96	01/31/97	02/03/97	12/17/96	01/02/97	01/21/97	05/10/98	01/31/97	02/20/97
11:18	12/16/96	11/21/96	02/14/97	03/03/97	12/31/96	01/15/97	01/21/97	05/10/98	02/14/97	02/20/97
11:19	01/02/97	12/06/96	03/03/97	03/14/97	01/17/97	02/03/97	02/20/97	05/10/98	03/03/97	03/20/97
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11:24	03/14/97	02/21/97	05/13/97	05/15/97	03/31/97	04/14/97	04/21/97	05/10/98	05/13/97	05/20/97
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12:07	07/01/97	06/10/97	09/02/97	09/15/97	07/16/97	07/31/97	08/20/97	05/10/98	09/02/97	09/22/97
12:08	07/15/97	06/23/97	09/15/97	10/01/97	07/30/97	08/14/97	08/20/97	05/10/98	09/15/97	09/22/97

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2B .0103 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
	<p>ISSUE DATE: The Register is published on the first and fifteenth of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p> <p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p> <p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD (1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p> <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE MATTER OF:

The Proposed assessment of Controlled Substance Excise tax for possession of non-tax-paid Controlled Substance on January 7, 1994 by the Secretary of Revenue against **BARRY WADE DUKE**

BEFORE THE
TAX REVIEW BOARD

ADMINISTRATIVE
DECISION NUMBER: 322

THIS MATTER was heard before the Regular Tax Review Board (hereinafter "Board") on July 23, 1996, in the City of Raleigh, Wake County, North Carolina in the office of the State Treasurer for the purpose of conducting a hearing on the Petition of **Barry Wade Duke** (hereinafter "Taxpayer") which was filed with the Board on January 10, 1996, pursuant to the provisions of G.S. §105-241.2. The petition concerned administrative review of the Final Decision of Michael A. Hannah, Assistant Secretary for Legal and Administrative Services (hereinafter "Assistant Secretary") entered on December 4, 1995, sustaining a proposed assessment of controlled substance excise tax for possession of non-tax-paid controlled substance for the period of January 7, 1994, assessed against the Taxpayer.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with duly appointed member, Noel A. Allen, Attorney at Law participating.

Attorney G. Bruce Park appeared at the hearing on Taxpayer's behalf. The Taxpayer was also present at the hearing. Christopher E. Allen, Assistant Attorney General, appeared at the hearing on behalf of the Department of Revenue.

In the petition, the Taxpayer argued that the Assistant Secretary erred in sustaining the assessment of the controlled substance excise tax because he denied possessing a controlled substance.

The purpose of this Board is to provide administrative review to Taxpayers from the Secretary of Revenue's decision sustaining the assessment of tax or additional tax pursuant to North Carolina Revenue Laws. The scope of administrative review for Petitions filed with Board is governed by G.S. §105-241.2(b2). G.S. § 105-241.2(b2) states in pertinent part:

(b2).. the Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary.

On review, the Board determined that G.S. §105-113.105 et. seq. provides for the levy of an excise tax on persons (dealers) who possess a non-tax-paid controlled substance. The controlled substance is measured "by the weight of the substance whether pure, impure or dilute." G.S. § 105-113.107. A proposed assessment of the excise tax is presumed to be correct pursuant to G.S. § 105-241.1(a), thus the burden is on the Taxpayer to overcome this presumption and rebut the assessment.

The Board having conducted a hearing in this matter and having reviewed the Petition, the briefs, the record, the Assistant's Secretary's final decision and having considered the arguments of counsel rendered the following decision: that the findings of fact made by the Assistant Secretary were fully supported by competent evidence in the record; that the conclusions of law made by the Assistant Secretary were fully supported by the findings of fact; and that the decision by the Assistant Secretary sustaining the tax assessment was fully supported by the conclusions of law. From the record, there was a reasonable basis to presume that Taxpayer was in possession of the controlled substance. Pursuant to G.S. § 105-241.1(a), the proposed assessment of the excise tax is presumed to be correct.

IT IS THEREFORE ORDERED, that the Assistant Secretary's final decision sustaining the assessment is CONFIRMED.

IN ADDITION

Entered this the 21st day of October, 1996.

TAX REVIEW BOARD

/s/Harlan E. Boyles, Chairman
State Treasurer

/s/Hugh A. Wells, Chairman
Utilities Commission

/s/Noel L. Allen, Member

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE MATTER OF:

The Proposed assessment of Controlled Substance Excise tax for possession of non-tax-paid Controlled Substance on January 7, 1994 by the Secretary of Revenue against **TONY ALLEN GILLEY**

BEFORE THE
TAX REVIEW BOARD

ADMINISTRATIVE
DECISION NUMBER: 323

THIS MATTER was heard before the Regular Tax Review Board (hereinafter "Board") on July 23, 1996, in the City of Raleigh, Wake County, North Carolina in the office of the State Treasurer for the purpose of conducting a hearing on the Petition of **Tony Allen Gilley** (hereinafter "Taxpayer") which was filed with the Board on January 10, 1996, pursuant to the provisions of G.S. §105-241.2. The petition concerned administrative review of the Final Decision of Michael A. Hannah, Assistant Secretary for Legal and Administrative Services (hereinafter "Assistant Secretary") entered on December 4, 1995, sustaining a proposed assessment of controlled substance excise tax for possession of non-tax-paid controlled substance for the period of January 7, 1994, assessed against the Taxpayer.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with duly appointed member, Noel A. Allen, Attorney at Law participating.

Attorney G. Bruce Park appeared at the hearing on Taxpayer's behalf. Christopher E. Allen, Assistant Attorney General, appeared at the hearing on behalf of the Department of Revenue.

In the petition, the Taxpayer argued that the Assistant Secretary erred in sustaining the assessment of the controlled substance excise tax because he denied possessing a controlled substance.

The purpose of this Board is to provide administrative review to Taxpayers from the Secretary of Revenue's decision sustaining the assessment of tax or additional tax pursuant to North Carolina Revenue Laws. The scope of administrative review for Petitions filed with the Board is governed by G.S. §105-241.2(b2). G.S. § 105-241.2 states in pertinent part:

(b2).. the Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary.

On review, the Board determined that G.S. §105-113.105 *et. seq.* provides for the levy of an excise tax on persons (dealers) who possess a non-tax-paid controlled substance. The controlled substance is measured "by the weight of the substance whether pure, impure or dilute." G.S. § 105-113.107. A proposed assessment of the excise tax is presumed to be correct pursuant to G.S. § 105-241.1(a), thus the burden is on the Taxpayer to overcome this presumption and rebut the assessment.

The Board having conducted a hearing in this matter and having reviewed the Petition, the briefs, the record, the Assistant Secretary's final decision and having considered the arguments of counsel rendered the following decision: that the findings of fact made by the Assistant Secretary were fully supported by competent evidence in the record; that the conclusions of law made by the Assistant Secretary were fully supported by the findings of fact; and that the decision by the Assistant Secretary sustaining the tax assessment was fully supported by the conclusions of law. From the record, there was a reasonable basis to presume that the Taxpayer was in possession of the controlled substance. Pursuant to G.S. § 105-241.1(a), the proposed assessment of the excise tax is presumed to be correct.

IT IS THEREFORE ORDERED, that the Assistant Secretary's final decision sustaining the assessment is CONFIRMED.

IN ADDITION

Entered this the 21st day of October, 1996.

TAX REVIEW BOARD

/s/Harlan E. Boyles, Chairman
State Treasurer

/s/Hugh A. Wells, Chairman
Utilities Commission

/s/Noel L. Allen, Member

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 12 - DEPARTMENT OF JUSTICE

CHAPTER 4 - DIVISION OF CRIMINAL INFORMATION

SUBCHAPTER 4E - ORGANIZATIONAL RULES AND FUNCTIONS

Notice of Rule-making Proceedings is hereby given by the N.C. Department of Justice/State Bureau of Investigation/Division of Criminal Information in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 12 NCAC 04E .0104, .0401, .0404 - .0405 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 114-10; 114-10.1

Statement of the Subject Matter:

12 NCAC 04E .0104 - The DCI Advisory Policy Board has agreed to add a new definition as 5(a) to define for DCI purposes the meaning of "convicted" or "conviction".

12 NCAC 04E .0401 - The DCI Advisory Policy Board has agreed to modify .0401(b) and (c) to require a fingerprint criminal records search or a computerized criminal history search be conducted prior to an individual attending DCI certification class. Any individual found to have been convicted of a misdemeanor, involving fraud, misrepresentation, or deceit shall not be eligible to become certified as a DCI Terminal Operator in accordance with the periods of suspension set out in 12 NCAC 4E .0404. A new (d) exempts DCI operators who currently hold valid certifications as sworn law enforcement officers from the criminal history record and background search requirements.

12 NCAC 04E .0404 - The DCI Advisory Policy Board has agreed to add a new rule as .0404 to define PERIOD OF SUSPENSION regarding a felony conviction of a DCI Terminal Operator.

12 NCAC 04E .0405 - The DCI Advisory Policy Board has agreed to add a new rule as .0405 to define the minimum standards required for DCI Terminal Operators.

Reason for Proposed Action:

12 NCAC 04E .0104 - The DCI Advisory Policy Board believes that the addition of the above mandates would better

serve the DCI Advisory Policy Board in making informed decisions regarding DCI standards for certification of DCI Terminal Operators.

12 NCAC 04E .0401 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding minimum standards to become a DCI Terminal Operator.

12 NCAC 04E .0404 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding DCI standards for certification of DCI Terminal Operators.

12 NCAC 04E .0405 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding minimum standards to become a DCI Terminal Operator.

Comment Procedures: Interested persons may present their views in writing. The record will be open for receipt of written comments from December 2, 1996 through January 31, 1997. Such written comments must be delivered or mailed to the State Bureau of Investigation/Division of Criminal Information, 407 North Blount Street, Raleigh, NC 27601.

TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES

CHAPTER 2 - COMMUNITY COLLEGES

SUBCHAPTER 2D - COMMUNITY COLLEGES: FISCAL AFFAIRS

Notice of Rule-making Proceedings is hereby given by the N.C. State Board of Community Colleges in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 23 NCAC 2D .0202 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508

Statement of the Subject Matter: *Curriculum*

Reason for Proposed Action: *To increase the maximum amount a college may charge for the student activity fee.*

Comment Procedures: *All persons interested in this Rule may submit statements in writing from the date of this notice until February 3, 1997, delivered or mailed to Dr. Lloyd V. Hackley, President, North Carolina Community College System, 200 West Jones Street, Raleigh, NC 27603-1379.*

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HUMAN RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Child Day Care Commission intends to amend rules cited as 10 NCAC 3U .0707 and .0901. Notice of Rule-making Proceedings was published in the Register on July 15, 1996.

Proposed Effective Date: July 1, 1998

A Public Hearing will be conducted at 1:00 to 2:00 p.m. on February 6, 1997 at the Division of Child Development, 319 Chapanoke Road, Suite 120, Room 300, Raleigh, NC 27603.

Reason for Proposed Action:

10 NCAC 3U .0707 - Amendment is needed to recognize the community colleges' change from quarter hours to semester hours.

10 NCAC 3U .0901 - To respond to a petition for rule-making regarding nutrition requirements when children bring their own food to centers.

Comment Procedures: Comments may be presented in writing or at the public hearing or orally at the hearing. Time limits for oral remarks may be imposed by the Commission Chairman. Any person may request copies of these Rules by calling Nancy Guy, Division of Child Development, 319 Chapanoke Road, Suite 120, Raleigh, NC 27603, (919) 662-4543.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 3 - FACILITY SERVICES

SUBCHAPTER 3U - CHILD DAY CARE STANDARDS

SECTION .0700 - HEALTH AND OTHER STANDARDS FOR CENTER STAFF

.0707 IN-SERVICE TRAINING REQUIREMENTS

(a) Each day care center shall provide, or arrange for the provision of, training for staff to assure that each new staff person who has contact with the children will receive a

minimum of ten clock hours of orientation within the first six weeks of employment. This orientation shall include training in their job-specific duties and responsibilities; a review of the child day care licensing law and regulations; a review of the individual center's personnel and operational policies, purpose, and goals; an explanation of the role of state and local government agencies, their effect on the center, their availability as a resource, and individual staff responsibilities to representatives of state and local government agencies; observation of center operations; maintaining a safe and healthy environment; and training to recognize symptoms of child abuse and neglect.

(b) The center director and any staff who have responsibility for planning and supervising a day care program, as well as staff who work directly with children, shall participate in in-service training activities annually, according to the individual's assessed needs. Staff may choose one of the following options for meeting the in-service requirement:

- (1) Each staff person shall complete in-service training activities which are related to child care or to the person's job responsibilities as specified in the following Subparagraphs:
 - (A) persons with a four-year degree in a child care-related field of study from a regionally accredited college or university shall complete five clock hours of training annually;
 - (B) persons with a two-year degree in a child care-related field of study from a regionally accredited college or university, or persons with at least fifteen years documented, professional experience as a teacher, director or caregiver in a licensed or registered child care arrangement and a cumulative total of more than fifty hours of approved in-service training shall complete eight clock hours of training annually;
 - (C) persons with a one-year certificate in a child care-related field of study from a regionally accredited college or university, or persons with at least ten years documented, professional experience as a teacher, director or caregiver in a licensed or registered child care arrangement and a cumulative total of more than fifty hours of approved in-service training, or persons with a Child Development Associate Credential shall complete ten clock hours of training annually;
 - (D) all other persons shall complete twenty clock hours of training annually; or

(2) If the staff person has completed 4 semester hours, 6 quarter hours hours, or 64 66 clock hours of early childhood education or child development and is enrolled in an early childhood or child development curriculum program, completion of or enrollment in a course which is required or approved for completion of that curriculum program will fulfill the annual in-service requirement.

(c) For staff working less than 40 hours per week on a regular basis and choosing the option for 20 hours of in-service training, the training requirement may be prorated as follows:

WORKING HOURS PER WEEK	CLOCK HOURS REQUIRED
0 - 10	5
11 - 20	10
21 - 30	15
31 - 40	20

(d) Clock hours of training or education related to child care may be accumulated for up to three years and counted toward the annual in-service training requirement.

Authority G.S. 110-91(11); 143B-168.3.

SECTION .0900 - NUTRITION STANDARDS

.0901 GENERAL NUTRITION REQUIREMENTS

(a) Meals and snacks that are prepared in the center or catered shall contain the food groups outlined in the Basic Four Food Guide which is based on the recommended nutrient intake judged by the National Research Council to be adequate for maintaining good nutrition. The number and size of servings shall be appropriate for the ages and developmental levels of the children in care, as specified in the Appendices to the Licensing Manual, as approved by the Commission.

(b) Menus for nutritious meals and snacks shall be planned at least one week in advance. At least one dated copy of the current week's menu shall be posted where it can be seen easily by parents and food preparation staff when food is prepared or provided by the center. A variety of food shall be included in meals and snacks. Any substitution will be of comparable food value and will be recorded on the menu.

(c) When children bring their own food for meals or snacks to the center, or when food is catered, if the food does not have to meet the nutritional requirements specified in Paragraph (a) of this Rule, the center must provide additional food necessary to meet those requirements. Rule.

(d) Drinking water must be freely available to children of all ages and offered at frequent intervals. Approved drinking fountains or individual drinking utensils shall be provided. When a private water supply is used, it must be tested by and meet the requirements of the Division of Health Services, Department of Human Resources.

(e) Children's special diets or food allergies shall be posted in the food preparation area and in the child's eating area.

(f) The food required by special diets may be provided by the center or may be brought to the center by the parents. If the diet is prescribed by a physician, written instructions will be provided by the child's parent, physician, or a registered dietitian.

(g) Food and beverages with little or no nutritional value, such as sweets, fruit drinks, soft drinks, etc., will be available only for special occasions and only in addition to nutritious meals and snacks.

Authority G.S. 110-91(2); 143B-168.3.

TITLE 12 - DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Justice, State Bureau of Investigation/Division of Criminal Information intends to amend rule cited as 12 NCAC 04E .0103(a). Notice of Rule-making Proceedings was published in the Register on September 3, 1996.

Proposed Effective Date: July 1, 1998

A Public Hearing will be conducted at 9:00 a.m. on December 17, 1996 at the Division of Criminal Information, 407 North Blount Street, Raleigh, NC 27601.

Reason for Proposed Action: To add one additional member to the DCI Advisory Policy Board, which member will be the Criminal Justice Information Services (CJIS) Working Local Representative from North Carolina.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments through January 2, 1997. All comments should be directed to Administrative Officer Judy Breeden, Division of Criminal Information, 407 N. Blount Street, Raleigh, NC 27601 within 30 days of this publication.

Fiscal Note: This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 4 - DIVISION OF CRIMINAL INFORMATION

SUBCHAPTER 4E - ORGANIZATIONAL RULES AND FUNCTIONS

SECTION .0100 - GENERAL PROVISIONS

.0103 ADVISORY POLICY BOARD

(a) The DCI Advisory Policy Board shall consist of not less than 43 14 members selected by the SBI Assistant Director for DCI for recommendation to the Director of the SBI with approval by the North Carolina Attorney General. Members shall serve for a term of two years. Membership shall consist of four police chiefs, four sheriffs, the Criminal Justice Information Services (CJIS) Working Group Local Representative from North Carolina, one representative each from the State Highway Patrol, Administrative Office of the Courts, Department of Correction, Division of Motor Vehicles (Enforcement), and the SBI Assistant Director for DCI. The SBI Assistant Director for DCI may serve as Chairman of the Board. The Board shall meet at least twice each year on dates and at locations determined by the SBI Assistant Director for DCI. If any Advisory Policy Board member or his designated representative is absent for two consecutive meetings, that member shall relinquish membership on the Board for the remainder of that term. Notification of such loss of membership shall be made by the SBI Assistant Director for DCI. The SBI Assistant Director for DCI may designate a replacement member to serve for the remainder of that term.

(b) The Board shall advise and make recommendations to the SBI Assistant Director for DCI regarding the philosophy, rule making, organization and operation of DCI. Minutes of each Advisory Policy Board meeting shall be recorded and mailed to each criminal justice agency in North Carolina.

(c) The Advisory Policy Board shall also determine and recommend all penalties applicable to any agency or agency employee with regard to a violation of any of DCI's rules.

(d) The Advisory Policy Board shall hear all appeals by agencies or individuals that have violated DCI's rules upon request of such agencies or individuals. The appeal shall be conducted as an informal hearing.

(e) The Advisory Policy Board shall provide advice to the SBI Assistant Director for DCI when requested pursuant to the provisions of Subchapter 4F Rule .0407 of this Chapter.

(f) The Advisory Policy Board shall hear requests for reinstatement of services suspended pursuant to Subchapter 4G Rule .0101(1)(e) of this Chapter.

Authority G.S. 114-10; 114-10.1.

TITLE 19A - DEPARTMENT OF TRANSPORTATION

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Department of Transportation - Division of Motor Vehicles intends to amend rules cited as 19A NCAC 03J .0102, .0306 - .0308, .0601. Notice of Rule-making Proceedings was published in the Register on September 3, 1996.

Proposed Effective Date: August 1, 1998

Instructions on How to Demand a Public Hearing: *A demand for a public hearing must be made in writing and mailed to Emily Lee, Department of Transportation, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of this Notice.*

Reason for Proposed Action: *Rules are proposed for amendment to incorporate information about refresher courses which are available for drivers who have previously had CDL, Class A, or Chauffeurs Licenses.*

Comment Procedures: *Any interested person may submit written comments on the proposed rules by mailing the comments to Emily Lee, Department of Transportation, PO Box 25201, Raleigh, NC 27611, within 30 days after the proposed rules are published.*

Fiscal Note: *These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

CHAPTER 3 - DIVISION OF MOTOR VEHICLES

SUBCHAPTER 3J - RULES AND REGULATIONS GOVERNING THE LICENSING OF COMMERCIAL TRUCK DRIVER TRAINING SCHOOLS AND INSTRUCTORS

SECTION .0100 - COMMERCIAL TRUCK DRIVER TRAINING SCHOOLS

.0102 DEFINITIONS

For the purpose of this Subchapter, the following definitions shall apply:

- (1) "Actively Enrolled" means any student who is neither a graduate nor has failed to complete his or her course.
- (2) "Base Period" means a six-month period from January 1 through June 30 or from July 1 through December 31.
- (3) "Commercial Truck Driver Training School" means any enterprise conducted by an individual, association, partnership, or corporation for the education and training of persons, either in class or behind the wheel, or both, to operate or drive a truck-tractor-trailer combination unit, and charging a consideration or tuition for such services.
- (4) "Constructive Notice" means a student's notice of intention to withdraw from a course by failing to attend residence instructional facilities for a period of three consecutive days on which that class meets.
- (5) "Cooling off Period" means five days from the

time the student is given or mailed a signed copy of his completed contract.

(6) "Enrollment contract" means any agreement or instrument, however named, which creates or evidences an obligation binding a student to purchase a course from a school.

(7) "Fail to Complete" means any student who does not fully complete the required 160 hours of the lessons or classes required by the Division as constituting the full course of study and who cancels by any of the methods prescribed, shall be deemed to have "failed to complete" his or her course.

(8) "Field Training" means off-road training in and around the truck. Refer to Rule .0306(2)(b), (c), (e), and (i) of Section .0300.

(9) "Foreign Commercial Truck Driver Training School" means an enterprise located outside North Carolina which solicits, advertises, or offers truck driver training to residents of North Carolina.

(10) "General Job or Earnings Claim" means any express claim or representation concerning the general conditions or employment demand in any employment market now or at any time in the future or the amount of salary or earnings generally available to persons employed in any occupation.

(11) "Graduate" means any student who fully completes the required 160 hours of the lessons or classes required by the Division and discharges any other requirements or obligations established by the school as prerequisites for completing the full course of study.

(12) "Job or Earnings Claim" means any general or specific job or earnings claim.

(13) "Media Advertisement" means any advertisement disseminated to the public by means of print or broadcast media, including newspapers, magazines, radio, television, posters, or any other means. It does not include promotional materials that are available from a school or distributed by its sales representatives.

(14) "Most Recent Base Period" means the latest base period.

(15) "New Course" means any course which has a substantially different course content and occupational objective from any course previously offered by the school and which has been offered for a period of time less than six months.

(16) "Prospective Student" means any person who seeks to enroll in a course.

(17) "Recruiter/Salesman" means any person who is employed by a commercial truck driver training school, directly or indirectly, to recruit students for a school. This definition includes persons who are employed by another person who is a direct employee or broker for a school.

(18) "Refresher Course" means a minimum 80-hour course which offers classroom and behind the wheel instruction for drivers who have previously held a CDL, Class A, or Chauffeurs License.

(19) (18) "Seminar" means a course of 40 hours or less offering educational materials and classroom instruction only in order to prepare a student for an examination given by the State for a driver's license.

(20) (19) "Specific Job or Earnings Claim" means any express claim or representation concerning the employment opportunities available to students or the demand for students who purchase the school's course, or the amount of salary or earnings available to students who purchase the school's course.

(21) (20) "Student" means any person who has signed an enrollment contract with a school and not cancelled that contract before the cooling-off-period, specified in this Rule, has ended.

(22) (21) "Total Contract Price" means the total price for the enrollment contract, including charges for registration, ancillary services, and any finance charges.

Authority G.S. 20-320 through 20-328.

SECTION .0300 - SCHOOL LOCATION: PHYSICAL FACILITIES: AND COURSES OF INSTRUCTION

.0306 COURSE OF INSTRUCTION

(a) The commercial truck driving course to be taken by licensed persons who are above the age of 18 must meet the following requirements:

(1) Minimum hours of instruction:

(A) classroom instruction, including testing	50 hours
(B) field instruction	50 hours
(C) highway behind-the-wheel training	20 hours
(D) observation (highway behind-the-wheel)	40 hours

Total - 160 hours

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

(2) Content of classroom and behind-the-wheel instruction:

(A) laws relating to interstate and intrastate operations;
(B) pre-trip inspection;
(C) coupling and uncoupling of combination units, if the equipment to be driven includes such units;
(D) placing the vehicle in operation;

(E) use of the vehicle's controls and emergency equipment;

(F) operation in inner-city and interstate highway traffic and passing;

(G) turning the vehicle;

(H) braking and slowing the vehicle by means other than applying the brakes;

(I) backing and parking the vehicle;

(J) experience operating vehicles with a minimum gross vehicle weight of 49,000 pounds; and

(K) completing Driver's Daily Log books.

(3) Other requirements:

(A) the 160 hours of instructions required by these rules shall be completed in no less than four calendar weeks;

(B) three hours of the 20 hours of behind-the-wheel highway training must be completed by each student between dusk and dawn;

(C) one vehicle must be provided for each three students during highway training; provided, four students per vehicle are permitted if the vehicle has been inspected and approved for such use by the Division. No more than four students per vehicle and no more than four vehicles per instructor will be allowed for field training; and

(D) a Driver's Daily Log must be kept for each student to reflect the 160 hours of instruction.

(b) Credit for Prior Instruction. Credit for prior instruction or training given by another agency or school may be granted. Such credit may be granted by the school to which the candidate is applying if the prior instruction or training is substantially equivalent to the corresponding part or parts of the course required by North Carolina law and if such credit is confirmed and authorized as equivalent by the Enforcement Section of the Division.

(c) In addition to the course requirements of Paragraph (a) of this Rule, schools may offer a "Refresher Course" which shall meet the following requirements:

(1) Minimum hours of instruction shall total 80 hours as follows:

(A) Classroom instruction, labs, and testing	25 hours
(B) Field instruction	25 hours
(C) Highway behind the wheel training	10 hours
(D) Observation (highway behind the wheel)	20 hours
Total - 80 hours	

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

(2) Content of Classroom and behind the wheel instruction shall be as follows:

(A) Laws relating to interstate and intrastate operations;

(B) Pre-trip inspection;

(C) Coupling and uncoupling of combination units, if the equipment to be driven includes such units;

(D) Placing the vehicle in operation;

(E) Use of the vehicle's controls and emergency equipment;

(F) Operation in inner-city and interstate highway traffic and passing;

(G) Turning the vehicle;

(H) Braking and slowing the vehicle by means other than applying the brakes;

(I) Backing and parking the vehicle;

(J) Experience operating vehicles with a minimum gross weight of 49,000 pounds; and

(K) Completing Drivers Daily Log books.

(3) Other requirements are as follows:

(A) The 80 hours of instruction required by these Rules shall be completed in no less than two calendar weeks;

(B) Two hours of the 10 hours behind the wheel highway training shall be completed by each student between dusk and dawn;

(C) One vehicle must be provided for each three students during highway training; provided, four students per vehicle are permitted if the vehicle has been inspected and approved for such use by the Division. No more than four students shall be allowed per vehicle for field training; and

(D) A drivers log must be kept for each student to reflect the 80 hours of instruction.

Authority G.S. 20-320 through 20-328.

.0307 STUDENT REQUIREMENTS

(a) Students above 18 years of age but less than 21 years of age must be informed by the owner(s) or officers of the school of the age restrictions and limitations established by the United States Department of Transportation and the Motor Carrier Safety Unit of the Division of Motor Vehicles.

(b) Students must furnish to the school proof that they have passed the United States Department of Transportation physical examination and drug screening test.

(c) No student shall operate a truck or tractor-trailer combination upon any public street or highway unless such student shall have in his immediate possession a valid license or learner's permit of the class or type required by Chapter 20 of the General Statutes and his U.S.D.O.T. physical pocket card.

(d) In addition to the requirements of Paragraphs (b) and (c) of this Rule, the following requirements shall apply for

students enrolling in a refresher course:

- (1) must be at least 21 years of age;
- (2) must have held a valid CDL, Class A, or Chauffeurs License for a continuous four-year period prior to April 1, 1999; and
- (3) after April 1, 1999, students shall have held a valid CDL for a continuous four-year period.

Authority G.S. 20-320 through 20-328.

.0308 REPORTS TO BE SUBMITTED

(a) Every commercial truck driver training school offering a full program shall submit to the Division the following reports:

- (1) A schedule of classes for each licensing period.
- (2) A class roster as of the first day of class, which roster shall include the name, address, telephone number, and driver's license number of each student.
- (3) A copy of each student's contract(s).
- (4) A list of salesmen/recruiters working for the school (directly or indirectly) at the beginning of the licensing period, with additions or deletions to be filed within 30 days of such change.

(b) Every commercial truck driver training school offering seminars only shall submit and obtain approval of a course plan at least 30 days prior to the class. It shall also submit items in Subparagraphs (a)(1) and ~~(a)(5)~~ (a)(4) of this Rule.

(c) Every commercial truck driver training school offering a refresher course shall submit in addition to the requirements of Paragraph (a) of this Rule, a seven-year driving record attached to each student's contract.

Authority G.S. 20-320 through 20-328.

SECTION .0600 - CONTRACTS

.0601 REQUIREMENTS

Commercial truck driver training school contracts for students are required if the course of instruction contracted for by the student is ~~160 hours or longer and shall contain, but are not limited to, the following information: a refresher course or a course of 160 hours or more. The contract shall contain, but is not limited to, the following information.~~

- (1) The agreed total contract charges and full terms of payment thereof.
- (2) The number, nature, time, and extent of lessons contracted for, including:
 - *(a) minimum hours of instruction:
 - (i) classroom instruction, including testing 50 hours
 - (ii) field instruction 50 hours
 - (iii) highway behind-the-wheel training 20 hours
 - (iv) observation (highway)

behind-the-wheel) 40 hours

Total - 160 hours

*Contracts involving a refresher course shall contain at least one-half the maximum hours for each area of instruction required for the 160-hour course.

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

(b) rate for use of school vehicle for a driver's license road test, if an extra charge is made.

(3) A statement which reads substantially as follows: "This agreement constitutes the entire contract between the school and the student, and any verbal assurances or promises not contained herein shall bind neither the school nor the student."

(4) A statement which reads as follows: "This school is licensed by the State of North Carolina, Division of Motor Vehicles."

(5) A statement which reads as follows: "If you, as a student, are unable to settle a dispute with the school, please direct your grievances to the North Carolina Division of Motor Vehicles, Enforcement Section, 1100 New Bern Avenue, Raleigh, North Carolina 27697-0001."

Authority G.S. 20-320 through 20-328.

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, December 19, 1996, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, December 16, 1996, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Vernice B. Howard
Teresa L. Smallwood
Charles H. Henry
Philip O. Redwine - Vice Chairman

Appointed by House

Bill Graham
James Mallory, III
Paul Powell
Anita White

RULES REVIEW COMMISSION MEETING DATES

December 19, 1996

April 17, 1997

January 16, 1997

May 15, 1997

February 20, 1997

June 19, 1997

March 20, 1997

MEETING DATE: DECEMBER 19, 1996

LOG OF FILINGS

RULES SUBMITTED: OCTOBER 20, 1996 THROUGH NOVEMBER 20, 1996

AGENCY/DIVISION	RULE NAME	RULE	ACTION
DEPARTMENT OF ADMINISTRATION			
	Purpose	1 NCAC 39 .0101	Amend
	Non-Major Activities	1 NCAC 39 .0201	Amend
AGRICULTURE/NC BOARD OF AGRICULTURE			
	Scope	2 NCAC 9C .0701	Amend
	Definitions	2 NCAC 9C .0702	Amend
	Labeling	2 NCAC 9C .0704	Repeal
	Transportation of Bees	2 NCAC 48A .0206	Amend
	Compliance Agreement	2 NCAC 48A .0211	Amend
	Infested Apiary Material	2 NCAC 48A .0214	Amend
	Unlawful Use of Plants	2 NCAC 48A .1103	Amend
	Standards	2 NCAC 48A .1110	Amend
	Report Required	2 NCAC 48B .0112	Amend
	Specialty Fertilizer	2 NCAC 48B .0114	Amend
	Data	2 NCAC 48B .0119	Amend
	Refusal of Registration	2 NCAC 48B .0120	Amend
	Health Regulations	2 NCAC 52B .0201	Amend
CULTURAL RESOURCES/USS NC BATTLESHIP COMMISSION			
	Hours of Operation	7 NCAC 5 .0202	Amend

DHR/DIVISION OF FACILITY SERVICES	Information Required	10 NCAC 3R .3103	Amend
DHR/DIVISION OF VOCATIONAL REHABILITATION SERVICES			
Division Actions	10 NCAC 20B .0204	Amend	
Scheduling and Notice	10 NCAC 20B .0205	Amend	
Appointment	10 NCAC 20B .0206	Amend	
Administrative Review	10 NCAC 20B .0208	Amend	
Administrative Review	10 NCAC 20B .0209	Amend	
Administrative Review	10 NCAC 20B .0210	Amend	
Pre-Hearing Conference	10 NCAC 20B .0214	Amend	
Disqualification	10 NCAC 20B .0218	Amend	
Failure to Appear	10 NCAC 20B .0222	Amend	
Division Director's Review	10 NCAC 20B .0224	Amend	
Record	10 NCAC 20B .0226	Amend	
Transcripts	10 NCAC 20B .0227	Amend	
Priority Categories	10 NCAC 20C .0603	Amend	
Community Rehab Program	10 NCAC 20D .0204	Amend	
DHR/DIVISION OF MEDICAL ASSISTANCE			
Medicaid Criteria	10 NCAC 26B .0113	Adopt	
Reimbursement Methods	10 NCAC 26H .0602	Amend	
DEPARTMENT OF INSURANCE			
Application Form	11 NCAC 6B .0101	Repeal	
Biographical Affidavit	11 NCAC 6B .0102	Repeal	
TPA Transmittal	11 NCAC 6B .0103	Repeal	
Renewal Application Form	11 NCAC 6B .0104	Repeal	
Renewal TPA Transmittal	11 NCAC 6B .0105	Repeal	
Administrator's Questionnaire	11 NCAC 6B .0106	Repeal	
Internal Control	11 NCAC 6B .0107	Repeal	
DEHNR/MARINE FISHERIES COMMISSION			
Definitions	15A NCAC 3I .0001	Amend	
Leaving Devices Unattended	15A NCAC 3I .0005	Amend	
Size Limit	15A NCAC 3L .0201	Amend	
Season, Size and Harvest Limit	15A NCAC 3M .0202	Amend	
Flounder	15A NCAC 3M .0503	Amend	
Trout	15A NCAC 3M .0504	Amend	
Snapper-Grouper	15A NCAC 3M .0506	Amend	
Bluefish	15A NCAC 3M .0511	Amend	
Trawl Nets Prohibited	15A NCAC 3R .0006	Amend	
Designated Pot Areas	15A NCAC 3R .0007	Amend	
DEHNR/SOIL AND WATER CONSERVATION COMMISSION			
Definitions	15A NCAC 6E .0002	Amend	
Allocation Guidelines	15A NCAC 6E .0003	Amend	
DEHNR/WILDLIFE RESOURCES COMMISSION			
Big Game Kill Reports	15A NCAC 10B .0113	Amend	
Shining Lights in Deer Area	15A NCAC 10B .0115	Amend	
DEHNR/COMMISSION FOR HEALTH SERVICES			
Definitions	15A NCAC 18A .0134	Amend	
Applicability of Rules	15A NCAC 18A .0136	Amend	
General Requirements	15A NCAC 18A .0137	Amend	
Separation of Operations	15A NCAC 18A .0159	Amend	

Single-Service Containers	15A NCAC 18A .0168	Amend
Freezing	15A NCAC 18A .0169	Amend
Repacking	15A NCAC 18A .0173	Amend
Pasteurization Process Controls	15A NCAC 18A .0174	Amend
Preparation of Crustacea Meat	15A NCAC 18A .0175	Amend
Pasteurization of Crustacea Meat	15A NCAC 18A .0176	Amend
Bacteriological Standards	15A NCAC 18A .0182	Amend
Alternative Labeling	15A NCAC 18A .0183	Amend
Thermal Processing Controls	15A NCAC 18A .0184	Amend
Thermal Processing	15A NCAC 18A .0185	Amend
Labeling	15A NCAC 18A .0186	Amend
Interfacility Thermal Processing	15A NCAC 18A .0187	Amend
Definitions	15A NCAC 18A .0301	Amend
Permits	15A NCAC 18A .0302	Amend
Applicability of Rules	15A NCAC 18A .0401	Amend
Daily Record	15A NCAC 18A .0421	Amend
Shellfish Receiving	15A NCAC 18A .0424	Amend
Tagging	15A NCAC 18A .0425	Amend
Containers	15A NCAC 18A .0614	Amend
Shellfish Cooling	15A NCAC 18A .0615	Amend
Shellfish Freezing	15A NCAC 18A .0616	Amend
Shipping	15A NCAC 18A .0617	Amend
Heat Shock Method	15A NCAC 18A .0618	Amend
Shellfish Thawing	15A NCAC 18A .0620	Amend
Recall Procedure	15A NCAC 18A .0621	Amend
Definitions	15A NCAC 18A .0901	Amend
Definitions	15A NCAC 18A .1301	Amend
Approval of Plans	15A NCAC 18A .1302	Amend
Bedroom Furnishings	15A NCAC 18A .1319	Amend
Inspection Forms	15A NCAC 18A .1805	Amend

TRANSPORTATION/DIVISION OF MOTOR VEHICLES

Interstate Carriers	19A NCAC 3D .0510	Amend
General Information	19A NCAC 3E .0401	Amend
License Period	19A NCAC 3E .0403	Amend

NC REAL ESTATE COMMISSION

Display of License	21 NCAC 58A .0101	Amend
Agency Agreements	21 NCAC 58A .0104	Amend
Advertising	21 NCAC 58A .0105	Amend
Brokerage Fees	21 NCAC 58A .0109	Amend
Broker-in-Charge	21 NCAC 58A .0110	Amend
Filing and Fees	21 NCAC 58A .0302	Amend
License Renewal	21 NCAC 58A .0503	Amend
Active and Inactive Status	21 NCAC 58A .0504	Amend
Licensing Forms	21 NCAC 58A .1501	Amend
Forms	21 NCAC 58A .1502	Amend
Fair Housing	21 NCAC 58A .1601	Amend

OFFICE OF ADMINISTRATIVE HEARINGS

Definitions	26 NCAC 2C .0102	Amend
Original and Duplicate	26 NCAC 2C .0103	Amend
Waiver	26 NCAC 2C .0111	Adopt
Other Notices	26 NCAC 2C .0307	Adopt
Scope	26 NCAC 2C .0401	Amend
Publication of Temporary Rule	26 NCAC 2C .0502	Amend

RULES REVIEW OBJECTIONS

BOARD OF DENTAL EXAMINERS

21 NCAC 16H .0104 - Approved Education and Training Programs	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 16H .0202 - Specific Permitted Functions of Dental Assistant I	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Environmental Management

15A NCAC 2B .0101 - General Procedures	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0103 - Analytical Procedures	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0109 - Waters Affected by Dredge and Fill Activities	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Cont'd	Obj. Removed	09/19/96
Agency Cont'd	RRC Objection	07/18/96
Agency Cont'd	Obj. Cont'd	08/15/96
Agency Cont'd	Obj. Cont'd	09/19/96
Agency Cont'd	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0201 - Antidegradation Policy	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0202 - Definitions	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0231 - Wetland Standards (Rule .0231 was Noticed as Rule .0220)	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2C .0211 - Permits	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2C .0213 - Additional Criteria and Standards Applicable to Class 5 Wells	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2C .0214 - Abandonment and Change-of-Status of Wells	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2H .0501 - Purpose	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0502 - Application	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0503 - Public Notice	RRC Objection	07/18/96

RULES REVIEW COMMISSION

<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	08/15/96
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff. 10/01/96</i>	
<i>15A NCAC 2H .0504 - Hearing</i>	<i>RRC Objection</i>	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	08/15/96
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff. 10/01/96</i>	
<i>15A NCAC 2H .0506 - Criteria for Review of Applications</i>	<i>RRC Objection</i>	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	08/15/96
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff. 10/01/96</i>	
<i>15A NCAC 2H .0507 - Issuance of Certification</i>	<i>RRC Objection</i>	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	08/15/96
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	09/19/96
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff. 10/01/96</i>	

Commission for Health Services

<i>15A NCAC 13C .0302 - General Provisions</i>	<i>RRC Objection</i>	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	10/17/96
<i>15A NCAC 13C .0304 - Minimum Qualifications for Registered Env. Consultants</i>	<i>RRC Objection</i>	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	10/17/96
<i>15A NCAC 13C .0306 - Technical Standards for Registered Environmental Consultants</i>	<i>RRC Objection</i>	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	10/17/96
<i>15A NCAC 18A .3106 - Abatement</i>	<i>RRC Objection</i>	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	08/15/96

Wildlife Resources Commission

<i>15A NCAC 10F .0104 - Certificate of Number</i>	<i>RRC Objection</i>	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	08/15/96
<i>15A NCAC 10F .0105 - Numbering Pattern</i>	<i>RRC Objection</i>	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	08/15/96

HUMAN RESOURCES

Facility Services

<i>10 NCAC 3R .0305 - Filing Applications</i>		
<i>Rule Withdrawn by Agency</i>		10/17/96
<i>10 NCAC 3R .1003 - State Medical Facilities Plan</i>		
<i>Rule Withdrawn by Agency</i>		10/17/96
<i>10 NCAC 3R .1127 - Required Staffing and Staff Training</i>		
<i>Rule Withdrawn by Agency</i>		10/17/96
<i>10 NCAC 3R .2410 - Information Required of Applicant</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .2412 - Staffing and Staff Training</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .2510 - Information Required of Applicant</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .2512 - Staffing and Staff Training</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .2612 - Information Required of Applicant</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .3030 - Facility and Service Need Determinations</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .3040 - Reallocations and Adjustments</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3R .3050 - Policies</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3U .0102 - Definitions</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3U .0704 - Preservice Requirements for Administrators</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3U .0710 - Preservice Requirements for Teachers and Aides</i>	<i>RRC Objection</i>	10/17/96
<i>10 NCAC 3U .2701 - Application for Permits</i>	<i>RRC Objection</i>	10/17/96

10 NCAC 3U .2702 - Criminal Record Check Requirements for Child Care Providers	<i>RRRC Objection</i>	10/17/96
10 NCAC 3U .2703 - Criminal Record Check Reqs for Current Child Care Providers	<i>RRRC Objection</i>	10/17/96
10 NCAC 3U .2704 - Criminal Record Check Reqs for Nonregistered Home Providers	<i>RRRC Objection</i>	10/17/96
Social Services Commission		
10 NCAC 41F .0707 - Criminal Histories	<i>RRRC Objection</i>	07/18/96
No Response from Agency	<i>Obj. Cont'd</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
10 NCAC 41F .0813 - Criminal History Checks	<i>RRRC Objection</i>	07/18/96
No Response from Agency	<i>Obj. Cont'd</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
10 NCAC 41F .0814 - Training Requirements	<i>RRRC Objection</i>	07/18/96
No Response from Agency	<i>Obj. Cont'd</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
INSURANCE		
11 NCAC 20 .0101 - Definitions	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0402 - Organization Structure	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0404 - Application	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0406 - Provider Files	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0501 - Program	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0502 - Structure	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0505 - Quality of Care Complaints	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
11 NCAC 20 .0701 - Accessibility of Providers	<i>RRRC Objection</i>	08/15/96
Agency Withdraw Rule	<i>Obj. Cont'd</i>	09/19/96
EXAMINERS FOR NURSING HOME ADMINISTRATORS		
21 NCAC 37H .0102 - Continuing Education Programs of Study	<i>RRRC Objection</i>	07/18/96
Agency Revised Rule	<i>Obj. Removed</i>	08/15/96
PSYCHOLOGY BOARD		
21 NCAC 54 .1901 - Types	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
REVENUE		
17 NCAC 1C .0504 - EFT General Requirements	<i>RRRC Objection</i>	08/15/96
Agency Revised Rule	<i>Obj. Removed</i>	09/19/96
BOARD FOR LICENSING OF SOIL SCIENTISTS		
21 NCAC 69 .0102 - Duties of Officers	<i>RRRC Objection</i>	09/19/96
Agency Revised Rule	<i>Obj. Removed</i>	10/17/96
21 NCAC 69 .0302 - Definitions	<i>RRRC Objection</i>	09/19/96
Agency Revised Rule	<i>Obj. Removed</i>	10/17/96
21 NCAC 69 .0303 - Requirements	<i>RRRC Objection</i>	09/19/96
Agency Revised Rule	<i>Obj. Removed</i>	10/17/96
21 NCAC 69 .0304 - Units	<i>RRRC Objection</i>	09/19/96
Agency Revised Rule	<i>Obj. Removed</i>	10/17/96
21 NCAC 69 .0305 - Determination of Credit	<i>RRRC Objection</i>	09/19/96
Agency Revised Rule	<i>Obj. Removed</i>	10/17/96
21 NCAC 69 .0307 - Exemptions	<i>RRRC Objection</i>	09/19/96

<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>
<i>21 NCAC 69 .0401 - Code of Professional Conduct</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>
<i>21 NCAC 69 .0402 - Rules of Conduct of Advertising</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>

TRANSPORTATION

Division of Highways

<i>19A NCAC 2D .1102 - Definitions</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>
<i>19A NCAC 2D .1108 - Goals</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>
<i>19A NCAC 2D .1111 - Performance Related Replacement of Eligible Firms</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>

Division of Motor Vehicles

<i>19A NCAC 3E .0511 - Registration of Interstate Authority</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>

Public Transportation and Rail Division

<i>19A NCAC 6B .0412 - Procurements</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton
Sammie Chess Jr.
Beecher R. Gray
Meg Scott Phipps

Robert Roosevelt Reilly Jr.
Dolores O. Smith
Thomas R. West

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
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ADMINISTRATION

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Purchase and Contract

Budd Seed, Inc. v. Department of Administration	96 DOA 0281	Chess	09/19/96	
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ALCOHOLIC BEVERAGE CONTROL COMMISSION

Osama Arafat Sadar v. Alcoholic Beverage Control Commission	95 ABC 0721	Gray	07/09/96	
Alcoholic Beverage Control Commission v. James Eads Sprawles	95 ABC 0883* ⁷	Gray	07/10/96	
Cole Entertainment, Inc. v. Alcoholic Beverage Control Commission	95 ABC 0917	West	08/21/96	11:12 NCR 1027
Fuad Saif Mursheed v. Alc. Bev. Ctl. Comm. & Durham Mem. Bapt. Ch.	95 ABC 0922	Chess	04/24/96	
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Alcoholic Beverage Control Commission v. Maria Virginia Tramontano	95 ABC 1200	West	04/23/96	
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Alcoholic Beverage Control Commission v. Entrepreneur, Inc.	95 ABC 1363	Reilly	05/02/96	
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Alcoholic Beverage Control Commission v. Triangle Drive-In	96 ABC 0443	Reilly	06/11/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0447	Morrison	08/30/96	11:13 NCR 1085
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0448	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0449	Morrison	08/30/96	
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Deborah C. Passarelli v. Crime Victims Compensation Commission	95 CPS 1399	Reilly	07/18/96	11:09 NCR 814
Kenneth Saunders v. Victims Compensation Commission	95 CPS 1445	Chess	03/26/96	
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Nash Hospitals, Inc. v. DHR, Div/Facility Services, Cert. of Need Sect.	95 DHR 1176* ⁵	Phipps	05/23/96	11:06 NCR 389
Pitt Cty Mem. Hospital, Inc. v. DHR, Div/Facility Sries, Cert/Need Sect.	95 DHR 1177* ⁵	Phipps	05/23/96	11:06 NCR 389
<i>Group Care Licensure Section</i>				
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<i>Medical Facilities Licensure Section</i>				
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Rozena Chambliss v. Department of Human Resources	95 DHR 1044	Smith	03/12/96	
Addie & Major Short v. Department of Human Resources	95 DHR 1063	Morrison	03/19/96	
Mr. and Mrs. Jessie Stevenson v. DHR, Division of Social Services	95 DHR 1072	Phipps	03/15/96	
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Lawrence Dow Dean v. Department of Human Resources	95 CSE 1267	Morrison	03/29/96	
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James Joseph Gallagher v. Department of Human Resources	95 CSE 1280	Chess	03/19/96	
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Marion A. Ward v. Department of Human Resources	96 CSE 1380	Reilly	11/15/96	
Gregory B. Phy v. Department of Human Resources	96 CRA 1399	West	11/14/96	
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Debra D. Hammonds v. Department of Human Resources	96 DCS 0792	Chess	10/08/96	

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Shane Douglas Crawford v. Sheriffs' Ed. & Training Stds. Comm.	95 DOJ 0943	Reilly	05/17/96	
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L.O. v. Charlotte-Mecklenburg Board of Education	96 EDC 0285	Mann	05/31/96	
Candyce Ewanda Newsome v. Hertford County Board of Education	96 EDC 0344	Chess	05/15/96	
W. and G.B., on Behalf of C.B. v. Winston-Salem/Forsyth Cty. Schools	96 EDC 0349	Mann	09/03/96	
Cyronne Rush Bryant v. NC State Board of Education	96 EDC 0591	Beeton	09/11/96	
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<i>Caldwell County</i>				
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<i>Catawba County Mental Health</i>				
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<i>NC Central University</i>				
Francina Y. Tate v. Chancellor Julius L. Chambers, NC Central Univ.	95 OSP 1432	Smith	04/22/96	
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<i>Central North Carolina School for the Deaf</i>				
Felicia S. Milton v. Central North Carolina School for the Deaf	95 OSP 1241	Chess	05/17/96	
<i>Department of Correction</i>				
Haydee Craver v. Department of Correction, Pender Correctional Inst.	95 OSP 1046	Gray	03/12/96	
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Carolyn Cheek v. Department of Correction	95 OSP 1441	Smith	09/19/96	
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Alisha Louise Staley v. Randolph Correctional Center	96 OSP 0092	Gray	06/03/96	
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J. Scott Spears v. Ralph Pederson and UNC-C	96 OSP 0548	Chess	08/30/96	
Nellie Joyce Ferguson v. UNC Physicians & Assoc., Charles Foskey, Dir.	96 OSP 0977	Phipps	10/02/96	
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Charles E. Houlk v. UNC Hospitals	96 UNC 0588	Morrison	08/09/96	

* Consolidated cases.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
95 ABC 1143

CITY OF RALEIGH,)	
Petitioner,)	
)	
v.)	
)	
N.C. ALCOHOLIC BEVERAGE CONTROL)	
COMMISSION,)	
Respondent,)	RECOMMENDED DECISION
)	
and)	
)	
MARSHALL STEWART, III, ROBERT DAVID)	
PARK, AND PARK STEWART INC. t/a)	
CRAZY ZACK'S BAR,)	
Intervenors.)	

This matter was heard before Senior Administrative Law Judge Fred G. Morrison Jr. in the Office of Administrative Hearings, on July 9 & 10, 1996 in Raleigh, North Carolina. Petitioner and Respondent filed proposed Findings of Fact and Conclusions of Law on August 26, 1996, and also filed comments on an Oregon case on October 2 and 7 respectively.

APPEARANCES

Dorothy K. Woodward, Associate City Attorney, for the Petitioner.

Glenn B. Lassiter, Jr., Deputy General Counsel, and Melissa C. Owens, Assistant Counsel, for the Respondent.

None for the Respondent-Intervenors.

ISSUE

Whether the Respondent abused its discretion by issuing an ABC permit to the Respondent-Intervenors over the objection of the Petitioner.

FINDINGS OF FACT

1. From at least 1972, numerous alcohol sales outlets have operated in a 1-1½ mile strip along Hillsborough Street in the Raleigh City Limits. These outlets are concentrated along Hillsborough Street between the intersections with Oberlin Road and with Shepard Street.
2. A residential neighborhood lies in the next block behind Hillsborough Street. This neighborhood extends out to at least Wade Avenue.
3. West Raleigh Presbyterian Church is located at Vanderbilt and Horne Streets. Vanderbilt is one block north of Hillsborough Street and runs parallel to it; Horne Street intersects Hillsborough Street. The church operates a day care center for children at this location.
4. The City's zoning along Hillsborough Street allows for the operation of businesses. Businesses front the north side of Hillsborough Street, and a few businesses are located on the south side. North Carolina State University is also located on the south side.

5. The "Hillsborough Street neighborhood" or "the neighborhood" is defined as the area bordered Hillsborough Street, Oberlin Road, Clark Avenue, and Shepard Street.
6. The sale and consumption of alcohol creates unique problems for law enforcement officers and for those living near the outlets. The alcohol-related problems routinely faced by law enforcement officers include fights, traffic accidents, littering, public urination, petty theft, and destruction of property.
7. Alcohol sales and consumption have created problems in the Hillsborough Street neighborhood. Problems have been most acute along Hillsborough Street and the residential areas closest to it.
8. Both residents and some business operators have voiced concerns to the City and to the ABC Commission about alcohol-related problems in the Hillsborough Street neighborhood.
9. The City's Police Department and residents of the neighborhood have dealt with alcohol-related problems for at least 24 years. Those problems have gradually increased over the past 19 years and remedial action is needed.
10. During the past 24 years, the number of alcohol sales establishments has remained roughly constant. The number of bars operating during late night hours has increased slightly.
11. The City has attempted to ameliorate alcohol-related problems in the neighborhood by various means. These include increased patrols by Raleigh Police Officers, hiring of new Police personnel for the Hillsborough Street area at a yearly expense of approximately \$68,000, conducting of undercover operations along Hillsborough Street, parking restrictions to residents-only during certain hours, and revisions to the City's ordinances relating to noise. The City's efforts have met with limited success.
12. Each additional alcohol sales outlet brings with it an increase in alcohol-related problems. A decrease in the number of alcohol sales outlets will, more likely than not, reduce the total number of alcohol-related problems.
13. On January 6, 1995, Intervenors submitted an application for an on-premise malt beverage permit to operate Crazy Zack's Bar at 2502½ Hillsborough Street. The ABC Commission issued a 30-day temporary permit to the Intervenors on January 6, 1995. The Commission issued a second 30-day temporary permit to the Intervenors on March 9, 1995. The Intervenors first opened for business on or around June 6, 1995. The Commission issued a permanent on-premise malt beverage permit to the Intervenors on August 18, 1995.
14. At the time they submitted their application to the Commission, Intervenors intended to operate Crazy Zack's as a bar that was open only during late night hours.
15. On February 1, 1995, the City lodged its objection with the Commission to the issuance of an ABC permit to the Intervenors. The City's objection was based on the suitability of the business location, not on the suitability of the applicants.
16. 2502½ Hillsborough Street is located 26 feet from West Raleigh Presbyterian Church and the day care center the church operates. Prior to August, 1995, the church had experienced damage to its property that it related to alcohol use. Church leaders asked the Commission to deny Crazy Zack's permit application and advised the Commission of property damage the church had suffered.
17. The Commission, as constituted on August 16, 1995, delegated its authority to decide whether to issue permanent ABC permits to Ken Gilliam, the Commission's Permit Compliance Director. The Commission did not give Mr. Gilliam any guidelines to follow in deciding whether to issue a permanent permit.
18. Because he had no guidance from the Commission, Mr. Gilliam did not consider whether the number of establishments already holding ABC permits in the neighborhood was excessive.
19. Mr. Gilliam did not know how to apply G.S. 18B-901(c)(2) to the Hillsborough Street area. Mr. Gilliam did not apply G.S. 18B-901(c)(2) in deciding whether 2502½ Hillsborough Street was a suitable location to hold an on-premise malt beverage permit.

20. The Commission had previously determined that 2502½ Hillsborough Street was not a suitable location for an ABC permit in connection with the operation of an establishment called "ACC Tavern."
21. Every ABC permit that the Commission issues carries with it some detriment to the neighborhood immediately surrounding it.
22. The Hillsborough Street neighborhood has a higher crime rate than exists in other parts of the City. Raleigh Police Officers frequently respond to 911 calls concerning disturbances, fights, littering, traffic violations or accidents, panhandling, public urination, larcenies, excessive noise, breaking and entering into vehicles, and open container violations in the Hillsborough Street neighborhood.
23. Traffic conditions in the neighborhood are bad and were bad at the time that the Commission considered the Intervenors' application. Intervenors had little to no parking available for their patrons.
24. During the time that Crazy Zack's operated on a temporary permit, some of its belligerent patrons were directed to leave the bar by the Intervenors' employees. They did so and began to fight on the public sidewalk immediately outside Crazy Zack's door on Hillsborough Street. None of the Intervenors' employees followed the patrons out of the bar or took any other step to avoid a public altercation.
25. The Commission was aware in August of 1995 that the City wanted to decrease the total number of alcohol outlets in the Hillsborough Street Neighborhood.
26. N.C. State University's Chancellor had advised the Commission prior to August of 1995, and in connection with Intervenors' application, that there was an excessive number of ABC permits in the Hillsborough Street neighborhood.
27. The number of alcohol sales outlets in the neighborhood is excessive. The excessive number of outlets causes significant harm to the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has personal and subject matter jurisdiction over this contested case pursuant to Chapters 18B and 150B of the North Carolina General Statutes.
2. The ABC Commission has been given exclusive authority by the North Carolina legislature to determine whether to issue permits to sell alcohol. The Commission may issue a permit when it is satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. A city or town may not prohibit alcohol sales through its ordinances. G.S. 18B-106; In re: Melkonian, 85 N.C. App. 351 (1987).
3. The ABC Commission is required to give careful and impartial consideration to the following factors, among others, in deciding whether a business location is suitable:
 - (a) the number of places already holding ABC permits in the neighborhood;
 - (b) parking and traffic conditions in the neighborhood;
 - (c) whether the proposed location is within 50 feet of a church;
 - (d) the recommendations of the local governing body; and
 - (e) any other evidence that would tend to show whether operation of the proposed business at that location would be detrimental to the neighborhood.G.S. 18B-901(c).
4. Once granted, a permanent ABC permit is valid indefinitely. G.S. 18B-903(a).
5. The Commission did not give fair and impartial consideration to the factor contained in G.S. 18B-901(c)(2), the number of places already holding ABC permits in the neighborhood.

6. There are an excessive number of ABC permits operating along Hillsborough Street. This excessive number has caused serious problems for the residents in the neighborhood, and the City's varied efforts to deal with those problems have been of limited success. A careful and impartial decision on the factor listed in G.S. 18B-901(c)(2) requires that the Commission control the total number of permits operating in this neighborhood.
7. In making a reasoned decision concerning each of the mandatory factors contained in G.S. 18B-901(c), the Commission must make a determination based on the greater weight of the evidence.
8. Based on the greater weight of the evidence, the Commission could have denied the Intervenors' application in accordance with the factors set out in G.S. 18B-901(c)(3), (c)(5), and (c)(7).
9. In addition, the greater weight of the evidence established that granting a permanent ABC permit to Intervenors to operate a bar open only during late night hours would be detrimental to the neighborhood; therefore, the Commission could have denied the application pursuant to G.S. 18B-901(c)(8).

RECOMMENDED DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, it is recommended that the Alcoholic Beverage Control Commission reconsider the decision to issue a permanent on-premise malt beverage permit to the Intervenors.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7747, in accordance with North Carolina General Statute 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make their final decision. G.S. 150B-36(a).

The agency is required by G.S. 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney on record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the N.C. Alcoholic Beverage Control Commission.

This the 8th day of November, 1996.

Fred G. Morrison Jr.
Senior Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Practicing Psychologists	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
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		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
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Note: Title 21 contains the chapters of the various occupational licensing boards.

CUMULATIVE INDEX
(April 1996 - March 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
				Action	Date				

This index provides information related to notices, rules and other documents published in the Register. The information provided below includes notices and rules published on or after December 1, 1995 and will be cumulative through March 1997. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE LICENSING BOARD

21 NCAC 01 .0301	10:22 NCR 2860	10:22 NCR 2834	*	Approve	04/18/96	*	11:04 NCR 220
21 NCAC 01 .0705	10:17 NCR 2228	10:22 NCR 2834	*	Approve	04/18/96	*	11:04 NCR 220
21 NCAC 01 .0709	10:17 NCR 2228						

ADMINISTRATIVE HEARINGS

Hearings Division									
26 NCAC 03 .0301	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96		11:16 NCR 1291		
26 NCAC 03 .0302	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96		11:16 NCR 1291		
26 NCAC 03 .0303	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96		11:16 NCR 1291		
26 NCAC 03 .0304	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96		11:16 NCR 1291		
26 NCAC 03 .0305	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96		11:16 NCR 1291		
Rules Division									
26 NCAC 02C .0102	11:09 NCR 370	11:13 NCR 1058	*						
26 NCAC 02C .0103	11:09 NCR 570	11:13 NCR 1058	*						
26 NCAC 02C .0111	11:09 NCR 570	11:13 NCR 1058	*						
26 NCAC 02C .0307	11:09 NCR 370	11:13 NCR 1058	*						
26 NCAC 02C .0401	11:09 NCR 570	11:13 NCR 1058	*						
26 NCAC 02C .0502	11:09 NCR 570	11:13 NCR 1058	*						
ADMINISTRATION									
1 NCAC 39 .0101	10:16A NCR 1672	11:14 NCR 1111	*						
1 NCAC 39 .0201	10:16A NCR 1672	11:14 NCR 1111	*						
State Building Commission									
1 NCAC 39G .0101	11:04 NCR 194								

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1 NCAC 30G .0102

1 NCAC 30G .0103

1 NCAC 30G .0104

1 NCAC 30G .0105

AGRICULTURE

2 NCAC 09C .0701

10:24 NCR 3056

11:04 NCR 194

11:04 NCR 194

11:04 NCR 194

2 NCAC 09C .0702

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 09C .0704

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48A .0206

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48A .0211

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48A .0214

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48A .1103

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48A .1110

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48B .0112

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

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2 NCAC 48B .0114

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48B .0119

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 48B .0120

10:24 NCR 3056

11:05 NCR 282

11:04 NCR 194

2 NCAC 52B .0200

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 52B .0201

10:24 NCR 3056

11:06 NCR 324

11:06 NCR 324

2 NCAC 52B .0300

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 52C .0700

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 43L

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 43F

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 43H

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 43L

11:14 NCR 1107

11:06 NCR 324

11:06 NCR 324

2 NCAC 48F .0301

11:07 NCR 407

11:07 NCR 407

11:07 NCR 407

2 NCAC 48F .0302

11:07 NCR 407

11:07 NCR 407

11:07 NCR 407

Marketing Authority

2 NCAC 43F

11:14 NCR 1107

11:14 NCR 1107

11:14 NCR 1107

Plant Conservation Board

2 NCAC 48F .0301

11:11 NCR 883

2 NCAC 48F .0302

11:11 NCR 883

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2 NCAC 48F.0304		11:07 NCR 407			11:11 NCR 883		*			
2 NCAC 48F.0305		11:07 NCR 407			11:11 NCR 883		*			
2 NCAC 48F.0306		11:07 NCR 407			11:11 NCR 883		*			
4 NCAC 01E		11:09 NCR 569								
4 NCAC 01F		11:09 NCR 569								
4 NCAC 01H		11:09 NCR 569								
4 NCAC 01I		11:09 NCR 569								
4 NCAC 01J		11:09 NCR 569								
4 NCAC 01K		11:09 NCR 569								
Community Assistance										
4 NCAC 01K.0501		11:09 NCR 569								
4 NCAC 01K.0502		11:09 NCR 569								
4 NCAC 01K.0503		11:09 NCR 569								
4 NCAC 01K.0504		11:09 NCR 569								
4 NCAC 01K.0505		11:09 NCR 569								
4 NCAC 01K.0506		11:09 NCR 569								
4 NCAC 19L.0401		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0403		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0404		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0407		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0501		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0502		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0505		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0706		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0707		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0708		11:09 NCR 569			11:14 NCR 1113		*			
4 NCAC 19L.0802		11:09 NCR 569			11:14 NCR 1113		*			

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4 NCAC 19L.0805 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.0901 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.0906 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.0907 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.0911 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1002 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1004 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1009 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1011 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1301 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1302 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1303 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1701 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1702 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1703 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1801 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1802 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1803 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1804 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1805 11:09 NCR 569 11:14 NCR 1113 *
 4 NCAC 19L.1900 11:09 NCR 569

Credit Union Division

4 NCAC 06C.0205 10:18 NCR 2398
 4 NCAC 06C.0407 10:18 NCR 2398
 4 NCAC 06C.0409 10:18 NCR 2398

Energy

4 NCAC 12C.0007
 State Ports Authority

Approve 07/18/96

11:10 NCR 843

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					Action	Date				
4 NCAC 13A.0101	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13A.0102	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13A.0105	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13A.0202	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13A.0203	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13A.0204	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13B.0001	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13B.0002	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13B.0003	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13B.0004	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13B.0005	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13C.0001	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13D.0101	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0101	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0102	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0103	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0201	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0202	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0301	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0302	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0401	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0402	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0403	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0404	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0405	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0501	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0502	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E.0601	10:24 NCR 3056				11:13 NCR 1040	*				

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4 NCAC 13E .0602	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0603	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0701	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0702	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0801	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0803	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0901	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13E .0902	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13F .0301	10:24 NCR 3056				11:13 NCR 1040	*				
4 NCAC 13F .0302	10:24 NCR 3056				11:13 NCR 1040	*				

COMMUNITY COLLEGES

23 NCAC 02D .0202	11:17 NCR 1336				11:09 NCR 585	*				
23 NCAC 02D .0325	10:24 NCR 3058				11:09 NCR 585	*				
23 NCAC 02E .0203	10:24 NCR 3058				11:09 NCR 585	*				
23 NCAC 03A .0113	10:24 NCR 3058				11:09 NCR 585	*				

CULTURAL RESOURCES

USS North Carolina Battleship Commission					11:04 NCR 188	*				
7 NCAC 05 .0202	10:18 NCR 2398				11:04 NCR 188	*				
7 NCAC 05 .0203	10:18 NCR 2398				11:04 NCR 188	*				
7 NCAC 05 .0204	10:18 NCR 2398				11:04 NCR 188	*				
7 NCAC 05 .0207	10:18 NCR 2398				11:04 NCR 188	*				

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

15A Public Notice					11:01 NCR 2					
15A Public Notice					11:09 NCR 590					
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01M .0101					11:06 NCR 368					
15A NCAC 01M .0102					11:06 NCR 368					
15A NCAC 01M .0201					11:06 NCR 368					

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Coastal Resources Commission										
15A NCAC 01M .0202			11:04 NCR 183							
15A NCAC 01M .0301			11:06 NCR 368							
15A NCAC 01M .0302			11:06 NCR 368							
15A NCAC 01M .0303			11:06 NCR 368							
15A NCAC 01M .0304			11:06 NCR 368							
15A NCAC 01M .0305			11:06 NCR 368							
15A NCAC 01M .0306			11:06 NCR 368							
15A NCAC 07H .0104	10:24 NCR 3045		11:07 NCR 409		*					
15A NCAC 07H .0106	10:16 NCR 1921		11:04 NCR 190		*					
15A NCAC 07H .0208	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .0304	10:24 NCR 3045		11:07 NCR 409		*					
15A NCAC 07H .0304	11:15 NCR 1200		11:15 NCR 1226							
15A NCAC 07H .0305	11:15 NCR 1200		11:15 NCR 1226							
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .0309	11:08 NCR 442		11:12 NCR 981		*					
15A NCAC 07H .1104	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907		*					
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907		*					

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15A NCAC 07H .0004	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07H .2104	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07J .0102	10:24 NCR 3045				11:04 NCR 190	*				
15A NCAC 07K .0203	11:04 NCR 183				11:11 NCR 907	*				11/21/96
15A NCAC 07M .0301	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0302	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0303	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0304	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0305	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0306	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0307	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0308	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0309	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0401	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0402	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0403	10:16B NCR 1921				11:11 NCR 907	*				
Environmental Management Commission										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400				11:12 NCR 973	*				
15A NCAC 02B .0227	10:18 NCR 2400				11:12 NCR 973	*				
15A NCAC 02B .0229	11:03 NCR 109				11:09 NCR 572	*				11/21/96
15A NCAC 02B .0231	11:02 NCR 75				11:10 NCR 824	L/SE				
15A NCAC 02B .0232	11:02 NCR 75				11:14 NCR 1136	L				
15A NCAC 02B .0233	11:02 NCR 75				11:10 NCR 824	L				

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15A NCAC 02B .0234	11:02 NCR 75				11:14 NCR 1136					
					11:10 NCR 824		*			
					11:14 NCR 1136					
15A NCAC 02B .0235	11:02 NCR 75				11:10 NCR 824		*			
					11:14 NCR 1136					
15A NCAC 02B .0236	11:02 NCR 75				11:10 NCR 824		L			
					11:14 NCR 1136					
15A NCAC 02B .0303	10:18 NCR 2400				11:12 NCR 973		*			
					11:09 NCR 572		L			
15A NCAC 02B .0315	11:02 NCR 75									*
15A NCAC 02D .0101	11:15 NCR 1200									
15A NCAC 02D .0104	11:15 NCR 1200									
15A NCAC 02D .0105	11:15 NCR 1200									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0202	11:15 NCR 1200									
15A NCAC 02D .0302	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0518	10:24 NCR 3045				11:08 NCR 472		*			
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0524	10:24 NCR 3045									
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0530	10:24 NCR 3045									
15A NCAC 02D .0531	11:15 NCR 1200									
15A NCAC 02D .0535	10:18 NCR 2317									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0902	10:24 NCR 3045									
15A NCAC 02D .0907	10:24 NCR 3045									
15A NCAC 02D .0909	10:24 NCR 3045									

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15A NCAC 02D .0910	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0911	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0946	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0953	11:15 NCR 1200									
15A NCAC 02D .0954	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1005	11:15 NCR 1200									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1107	11:15 NCR 1200									
15A NCAC 02D .1110	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1111	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1402	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1403	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .2200	11:15 NCR 1200									
15A NCAC 0211 .0225	11:15 NCR 1200									
15A NCAC 0211 .0610	11:08 NCR 442									
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15A NCAC 02H .1204		11:15 NCR 1200							
15A NCAC 02H .1205		11:15 NCR 1200							
15A NCAC 02L		11:15 NCR 1200							
		11:15 NCR 1204							
15A NCAC 02L .0106			10:19 NCR 2508						
15A NCAC 02L .0115		11:15 NCR 1200							
		11:15 NCR 1204							
15A NCAC 02L .0202		10:20 NCR 2591							
15A NCAC 02N		11:15 NCR 1200							
		11:15 NCR 1204							
15A NCAC 02P		11:15 NCR 1200							
		11:15 NCR 1204							
15A NCAC 02P .0402			10:19 NCR 2512						
15A NCAC 02Q .0102				11:06 NCR 350	*				
15A NCAC 02Q .0102		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	*
15A NCAC 02Q .0104		10:24 NCR 2400		11:08 NCR 472	*		Approve	11/21/96	*
15A NCAC 02Q .0107		10:18 NCR 2400		11:08 NCR 472	*		Approve	11/21/96	
15A NCAC 02Q .0312		10:24 NCR 3045		11:16 NCR 1271	*				
15A NCAC 02Q .0313		10:24 NCR 3045		11:16 NCR 1271	*				
15A NCAC 02Q .0507		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	
15A NCAC 02Q .0512		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	
15A NCAC 02Q .0514		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	
15A NCAC 02Q .0515		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	
15A NCAC 02Q .0517		10:24 NCR 2400		11:08 NCR 472	S/L		Approve	11/21/96	
15A NCAC 02Q .0525		10:24 NCR 3045		11:16 NCR 1271	*				
15A NCAC 02Q .0527		10:24 NCR 3045		11:16 NCR 1271	*				
15A NCAC 02Q .0607		10:24 NCR 3045		11:16 NCR 1271	*				
15A NCAC 02Q .0700		11:08 NCR 442							

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NPDES Permits										
NPDES Permits										
Health Services, Commission for										
15A NCAC 13A.0001	11:16 NCR 1269									
15A NCAC 13A.0005	11:16 NCR 1269									
15A NCAC 13A.0007	11:16 NCR 1269									
15A NCAC 13A.0011	11:16 NCR 1269									
15A NCAC 13A.0012	11:16 NCR 1269									
15A NCAC 13A.0019	11:16 NCR 1269									
15A NCAC 13B.1627	11:08 NCR 442				11:13 NCR 1055	*				
15A NCAC 13B.1800	11:08 NCR 442									
15A NCAC 13C.0301	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0302	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0303	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0304	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0305	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0306	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0307	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 13C.0308	10:18 NCR 2317				11:06 NCR 357	*				
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A.0134	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0136	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0137	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0159	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0168	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0169	11:08 NCR 442						11:12 NCR 987	*		
15A NCAC 18A.0173	11:08 NCR 442						11:12 NCR 987	*		

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15A NCAC 18A.0174	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0175	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0176	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0182	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0183	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0184	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0185	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0186	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0187	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0301	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0302	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0401	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0421	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0424	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0425	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0614	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0615	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0616	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0617	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0621	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.0901	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.1301	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.1302	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.1319	11:08 NCR 442				11:12 NCR 987	*				
15A NCAC 18A.1805	11:04 NCR 183				11:09 NCR 576	*				
15A NCAC 18A.1814					Approve	04/18/96				11:04 NCR 209

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					Action	Date				
15A NCAC 18A .2601		11:01 NCR 24	11:05 NCR 273	*	Approve	10/17/96				11:16 NCR 1291
15A NCAC 18A .2701					Approve	06/20/96	*			11:08 NCR 536
15A NCAC 20D .0243					Approve	04/18/96				11:04 NCR 209
15A NCAC 211I .0111			11:06 NCR 371							
15A NCAC 211I .0113			11:06 NCR 371							
15A NCAC 211I .0101			11:07 NCR 422							
15A NCAC 211J .0101			11:07 NCR 422							
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03I .0001	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03I .0005	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03I .0019			10/21 NCR 2737	*						
15A NCAC 03J .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03J .0401			10/21 NCR 2688	*						
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03M .0202	11:03 NCR 110		11:11 NCR 938	*						
15A NCAC 03M .0204			11:14 NCR 1153							
15A NCAC 03M .0503	11:07 NCR 407		11:11 NCR 938	*						
15A NCAC 03M .0504	11:03 NCR 110		11:11 NCR 938	*						
15A NCAC 03M .0506	11:07 NCR 407		11:14 NCR 1153							
15A NCAC 03M .0507			11:11 NCR 888	*						
15A NCAC 03M .0511	11:03 NCR 110		11:11 NCR 938	*						
15A NCAC 03R .0006	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03R .0007	11:07 NCR 407		11:11 NCR 888	*						
Parks and Recreation										
15A NCAC 12B .1206	10:18 NCR 2317		11:12 NCR 985	*						
Soil and Water Conservation										
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Wildlife Resources Commission										
15A NCAC 06E .0002	11:08 NCR 442				11:12 NCR 979	*				
15A NCAC 06E .0002		11:12 NCR 1004			11:12 NCR 979	*				
15A NCAC 06E .0003	11:08 NCR 442				11:12 NCR 979	*				
15A NCAC 06E .0005		11:12 NCR 1004								
15A NCAC 10B .0106	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10B .0113	11:07 NCR 408				11:12 NCR 983	*				
15A NCAC 10B .0115	11:07 NCR 408				11:12 NCR 984	*				
15A NCAC 10B .0115	11:11 NCR 882									
15A NCAC 10B .0116	11:12 NCR 959				11:08 NCR 495	*				
15A NCAC 10B .0123	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10B .0203	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10B .0208	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10B .0209	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10C .0107	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10C .0205	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10C .0305	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10C .0401	11:02 NCR 76									
15A NCAC 10C .0401	11:07 NCR 408				11:08 NCR 495	*				
15A NCAC 10D .0002	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10D .0003	11:02 NCR 76				11:08 NCR 495	*				
15A NCAC 10F .0102	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0103	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0104	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0105	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0106	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0107	10:19 NCR 2506				11:01 NCR 14	*				
15A NCAC 10F .0109	10:19 NCR 2506				11:01 NCR 14	*				

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15A NCAC 10F .0300	11:01 NCR 13				11:14 NCR 1150	*				
15A NCAC 10F .0302	11:05 NCR 272				11:06 NCR 355	*	Approve	09/19/96		11:14 NCR 1156
15A NCAC 10F .0303	10:24 NCR 3057				11:01 NCR 14	*	Approve	07/18/96		11:10 NCR 843
15A NCAC 10F .0305	10:19 NCR 2506				11:07 NCR 412	*	Approve	10/17/96		11:16 NCR 1291
15A NCAC 10F .0307	11:02 NCR 76				11:14 NCR 1150	*				
15A NCAC 10F .0307	11:08 NCR 451				11:01 NCR 14	*	Approve	07/18/96		11:10 NCR 843
15A NCAC 10F .0310	10:19 NCR 2506				11:06 NCR 355	*	Approve	09/19/96		11:14 NCR 1156
15A NCAC 10F .0310	10:24 NCR 3057									
15A NCAC 10F .0317	11:13 NCR 1039									
15A NCAC 10F .0327	11:14 NCR 1109									
15A NCAC 10F .0339	11:13 NCR 1039									
15A NCAC 10F .0342	10:19 NCR 2506									
15A NCAC 10F .0348	10:19 NCR 2506									
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13									
15A NCAC 10G .0100	11:02 NCR 76									
15A NCAC 10G .0102	11:01 NCR 13									
15A NCAC 10G .0103	11:01 NCR 13									
15A NCAC 10G .0202	11:01 NCR 13									
15A NCAC 10G .0203	11:01 NCR 13									
15A NCAC 10G .0206	11:01 NCR 13									
15A NCAC 10G .0302	11:01 NCR 13									
15A NCAC 10G .0303	11:01 NCR 13									
15A NCAC 10G .0401	11:01 NCR 13									
15A NCAC 10G .0402	11:01 NCR 13									
15A NCAC 10G .0403	11:01 NCR 13									
15A NCAC 10G .0404	11:01 NCR 13									
15A NCAC 10G .0501	11:01 NCR 13									

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15A NCAC 101.0001	10/22 NCR 2829	11:04 NCR 191	*	Approve	09/19/96		11:14 NCR 1156
15A NCAC 101.0002	11/02 NCR 76	11:08 NCR 495	*	Approve	10/17/96	*	11:16 NCR 1291
Wildlife Proclamation							11:03 NCR 104
Wildlife Proclamation							11:04 NCR 182

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Voting Rights Act							11:01 NCR 1
Voting Rights Act							11:04 NCR 181
Voting Rights Act							11:06 NCR 315
Voting Rights Act							11:07 NCR 405
Voting Rights Act							11:13 NCR 1038
Voting Rights Act							11:16 NCR 1263

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21 NCAC 12.0204	10/22 NCR 2829	11:06 NCR 372	11:09 NCR 583	*	Approve	10/17/96	11:16 NCR 1291
21 NCAC 12.0503	10/22 NCR 2829	11:06 NCR 372	11:09 NCR 584	*	Approve	10/17/96	11:16 NCR 1291

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Number 95 - Eff. 04/24/96							11:05 NCR 270
Number 96 - Eff. 06/14/96							11:08 NCR 441
Number 97 - Eff. 07/12/96							11:10 NCR 817
Number 98 - Eff. 08/09/96							11:11 NCR 380
Number 99 - Eff. 09/05/96							11:14 NCR 1101
Number 100 - Eff. 09/12/96							11:14 NCR 1101
Number 101 - Eff. 09/12/96							11:14 NCR 1101
Number 102 - Eff. 10/02/96							11:15 NCR 1197
Number 103 - Eff. 10/10/96							11:15 NCR 1197
Number 104 - Eff. 10/10/96							11:15 NCR 1197

HOUSING FINANCE AGENCY

24 NCAC 01P.0101							11:14 NCR 1154
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24 NCAC 01P .0102			11:14 NCR 1154							
24 NCAC 01P .0103			11:14 NCR 1154							
24 NCAC 01P .0201			11:14 NCR 1154							
24 NCAC 01P .0202			11:14 NCR 1154							
24 NCAC 01P .0203			11:14 NCR 1154							
HUMAN RESOURCES										
10 NCAC 41P .0013	11:06 NCR 323	11:08 NCR 528	11:12 NCR 966	L						
Aging										
10 NCAC 22	10:23 NCR 2956									
Child Day Care Commission										
10 NCAC 03U .0102	10:20 NCR 2593	11:10 NCR 819	S		Object	10/17/96				
		11:09 NCR 571	*		Approve	11/21/96				
10 NCAC 03U .0604	11:03 NCR 109									
10 NCAC 03U .0700	11:08 NCR 449									
10 NCAC 03U .0704	10:19 NCR 2506		11:04 NCR 188	*	Object	10/17/96				
			11:04 NCR 188	*	Approve	11/21/96				
10 NCAC 03U .0705	11:14 NCR 1108									
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .0710	10:22 NCR 2829		11:04 NCR 188	*	Object	10/17/96				
			11:04 NCR 188	*	Approve	11/21/96				
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .1717	11:14 NCR 1108									
10 NCAC 03U .2510	11:08 NCR 449									
10 NCAC 03U .2606	11:08 NCR 449									
10 NCAC 03U .2701		10:20 NCR 2593	11:10 NCR 819	S	Object	10/17/96				
			11:10 NCR 819	S	Approve	11/21/96				
10 NCAC 03U .2702		10:20 NCR 2593	11:10 NCR 819	S	Object	10/17/96				
10 NCAC 03U .2703		10:20 NCR 2593	11:10 NCR 819	S	Approve	11/21/96				
			11:10 NCR 819	S	Object	10/17/96				

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10 NCAC 03U.2704										
10 NCAC 03R.3001	10:18 NCR 2399	10:20 NCR 2593	11:10 NCR 819	S	Approve	11/21/96	*			
10 NCAC 03R.3001	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*			
10 NCAC 03R.3010				S/L/SE						
10 NCAC 03R.3020				11:06 NCR 328						
10 NCAC 03R.3020	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*			
10 NCAC 03R.3030				S/L/SE						
10 NCAC 03R.3030	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*			
10 NCAC 03R.3032				S/L/SE						
10 NCAC 03R.3032	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 328	S/L/SE						
10 NCAC 03R.3040				S/L/SE						
10 NCAC 03R.3040	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96	*			
10 NCAC 03R.3050				S/L/SE	Approve	10/17/96	*			
10 NCAC 03R.3050	10:23 NCR 2956	10:21 NCR 2699	11:08 NCR 452	S/L/SE						
Medical Assistance				S/L/SE						
Disproportionate Share List										
10 NCAC 26B.0105	10:18 NCR 2398				Approve	04/18/96	*			
10 NCAC 26G.0707	11:08 NCR 450									
10 NCAC 26H.0101	11:14 NCR 1108									
10 NCAC 26H.0102	11:14 NCR 1108									
10 NCAC 26H.0104	11:16 NCR 1268									
10 NCAC 26H.0212										
10 NCAC 26H.0213	11:15 NCR 1205									
10 NCAC 26H.0506	11:02 NCR 77									

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10 NCAC 2611.0506	10:21 NCR 2686								
10 NCAC 2611.0602	11:09 NCR 569		11:13 NCR 1062						
10 NCAC 50B .0202				S/L					
10 NCAC 50B .0404					11:10 NCR 841				
10 NCAC 50B .0409					11:10 NCR 841				
10 NCAC 50D						11:06 NCR 316			
10 NCAC 50D .0101	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0102	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0103	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0201	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0301	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0302	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0401	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0402	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0501	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0502	10:24 NCR 3057				11:04 NCR 196				
10 NCAC 50D .0503	10:24 NCR 3057				11:04 NCR 196				
Medical Care Commission									
10 NCAC 03B	11:16 NCR 1268								
10 NCAC 03C .6208							Approve	04/18/96	
Mental Health, Developmental Disabilities and Substance Abuse Services									
10 NCAC 14V .3402	11:08 NCR 449					11:14 NCR 1124			
10 NCAC 14V .3803	11:08 NCR 449					11:14 NCR 1124			
10 NCAC 14V .5602	11:08 NCR 449					11:14 NCR 1124			
10 NCAC 15A .0128	11:08 NCR 449					11:14 NCR 1124			
10 NCAC 15A .0129	11:08 NCR 449					11:14 NCR 1124			
10 NCAC 18W .0201	10:15 NCR 1478					11:14 NCR 1124			
10 NCAC 18W .0202	10:15 NCR 1478					11:14 NCR 1124			

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10 NCAC 18W .0203	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0204	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0205	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0206	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0207	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0208	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0209	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0210	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0211	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0212	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0213	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0214	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0215	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0216	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0217	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0218	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 18W .0219	10:15 NCR 1478				11:14 NCR 1124		S			
10 NCAC 45H .0200	11:08 NCR 449									
Social Services Commission										
10 NCAC 35E .0101					11:16 NCR 1288					
10 NCAC 35E .0105					11:16 NCR 1288					
10 NCAC 35E .0106					11:16 NCR 1288					
10 NCAC 35E .0308					11:16 NCR 1288					
10 NCAC 41F	10:23 NCR 2956				11:03 NCR 111	L		Approve	07/18/96	*
10 NCAC 41F .0705	10:23 NCR 2956				11:03 NCR 111	*		Approve	07/18/96	
10 NCAC 41F .0706					10:21 NCR 2726	11:03 NCR 111	S	Object	07/18/96	
10 NCAC 41F .0707					10:21 NCR 2726	11:03 NCR 111		Approve	09/19/96	*

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10 NCAC 41F .0812		10:21 NCR 2726	11:03 NCR 111	*	Approve	07/18/96				11:15 NCR 1229
10 NCAC 41F .0813		10:21 NCR 2726	11:03 NCR 111	S	Object	07/18/96				11:15 NCR 1229
10 NCAC 41F .0814	10:23 NCR 2956		11:03 NCR 111	L	Approve	09/19/96	*			11:15 NCR 1229
10 NCAC 411 .0100	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 411 .0102	10:17 NCR 2228	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	Object	11/21/96				
10 NCAC 41P .0105	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object	11/21/96				
10 NCAC 41P .0106	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 41P .0108	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 41P .0108		11:08 NCR 528	11:12 NCR 960	*	Approve	10/17/96				11:16 NCR 1291 Notice Not Required
10 NCAC 41P .0109	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 41P .0110	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 41P .0111	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 41P .0112	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 42A .0701		10:21 NCR 2728	11:10 NCR 823	S/L/SE	Approve	11/21/96				
10 NCAC 42A .0702	10:21 NCR 2728	11:10 NCR 823	*		Approve	11/21/96				
10 NCAC 42A .0703	10:21 NCR 2728	11:10 NCR 823	*		Object	11/21/96				
10 NCAC 42B .1209		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .1210	10:21 NCR 2729	11:12 NCR 967	S/L		Approve	11/21/96	*			
10 NCAC 42B .1211	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96	*			
10 NCAC 42B .2402		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .2403	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96				
10 NCAC 42B .2404	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96				
10 NCAC 42B .2405		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42C .2010	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96				
10 NCAC 42C .2011	10:21 NCR 2729	11:12 NCR 967	S/L		Object	11/21/96				
10 NCAC 42C .2012	10:21 NCR 2729	11:12 NCR 967	*		Object	11/21/96				

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10 NCAC 42C .3701		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				*
10 NCAC 42C .3702		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				*
10 NCAC 42C .3703		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				*
10 NCAC 42C .3704		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				*
10 NCAC 42D .1409		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				*
10 NCAC 42D .1410		10:21 NCR 2729	11:12 NCR 967	S/L	Object	11/21/96				
10 NCAC 42D .1411		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96				
10 NCAC 42D .1827		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1828		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1829		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1830		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42J .0001		11:16 NCR 1283								
10 NCAC 42J .0004		11:16 NCR 1288								
10 NCAC 42J .0005		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 42V .0201		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 42V .0802		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 42V .0803		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 49A .0002		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49B .0202		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49B .0310		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49B .0502		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49C .0107		10:18 NCR 2402								
Vocational Rehabilitation Services										
10 NCAC 20B .0204		11:08 NCR 450					11:13 NCR 1051	*		
10 NCAC 20B .0205		11:08 NCR 450					11:13 NCR 1051	*		
10 NCAC 20B .0206		11:08 NCR 450					11:13 NCR 1051	*		
10 NCAC 20B .0208		11:08 NCR 450					11:13 NCR 1051	*		
10 NCAC 20B .0209		11:08 NCR 450					11:13 NCR 1051	*		

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10 NCAC 20B.0210	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0214	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0218	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0222	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0224	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0226	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20B.0227	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20C.0603	11:08 NCR 450				11:13 NCR 1051	*				
10 NCAC 20D.0204	11:08 NCR 450				11:13 NCR 1051	*				
INSURANCE										
11 NCAC 08.1001					11:15 NCR 1212					
11 NCAC 08.1002					11:15 NCR 1212					
11 NCAC 08.1003					11:15 NCR 1212					
11 NCAC 08.1004					11:15 NCR 1212					
11 NCAC 08.1005					11:15 NCR 1212					
11 NCAC 08.1006					11:15 NCR 1212					
11 NCAC 08.1007					11:15 NCR 1212					
11 NCAC 08.1008					11:15 NCR 1212					
11 NCAC 08.1009					11:15 NCR 1212					
11 NCAC 08.1010					11:15 NCR 1212					
11 NCAC 08.1011					11:15 NCR 1212					
11 NCAC 08.1101					11:15 NCR 1212					
11 NCAC 08.1102					11:15 NCR 1212					
11 NCAC 08.1103					11:15 NCR 1212					
11 NCAC 08.1104					11:15 NCR 1212					
11 NCAC 08.1105					11:15 NCR 1212					
11 NCAC 08.1106					11:15 NCR 1212					
11 NCAC 08.1107					11:15 NCR 1212					

INSURANCE

11 NCAC 08.1001	11:15 NCR 1212	Filed over objection
11 NCAC 08.1002	11:15 NCR 1212	Filed over objection
11 NCAC 08.1003	11:15 NCR 1212	Filed over objection
11 NCAC 08.1004	11:15 NCR 1212	Filed over objection
11 NCAC 08.1005	11:15 NCR 1212	Filed over objection
11 NCAC 08.1006	11:15 NCR 1212	Filed over objection
11 NCAC 08.1007	11:15 NCR 1212	Filed over objection
11 NCAC 08.1008	11:15 NCR 1212	Filed over objection
11 NCAC 08.1009	11:15 NCR 1212	Filed over objection
11 NCAC 08.1010	11:15 NCR 1212	Filed over objection
11 NCAC 08.1011	11:15 NCR 1212	Filed over objection
11 NCAC 08.1101	11:15 NCR 1212	Filed over objection
11 NCAC 08.1102	11:15 NCR 1212	Filed over objection
11 NCAC 08.1103	11:15 NCR 1212	Filed over objection
11 NCAC 08.1104	11:15 NCR 1212	Filed over objection
11 NCAC 08.1105	11:15 NCR 1212	Filed over objection
11 NCAC 08.1106	11:15 NCR 1212	Filed over objection
11 NCAC 08.1107	11:15 NCR 1212	Filed over objection

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11 NCAC 08.1108					11:15 NCR 1212					Filed over objection
11 NCAC 08.1109					11:15 NCR 1212					Filed over objection
11 NCAC 08.1110					11:15 NCR 1212					Filed over objection
11 NCAC 08.1111					11:15 NCR 1212					Filed over objection
11 NCAC 08.1112					11:15 NCR 1212					Filed over objection
11 NCAC 08.1113					11:15 NCR 1212					Filed over objection
11 NCAC 08.1114					11:15 NCR 1212					Filed over objection
11 NCAC 08.1115					11:15 NCR 1212					Filed over objection
11 NCAC 08.1116					11:15 NCR 1212					Filed over objection
11 NCAC 08.1201					11:15 NCR 1212					Filed over objection
11 NCAC 08.1202					11:15 NCR 1212					Filed over objection
11 NCAC 08.1203					11:15 NCR 1212					Filed over objection
11 NCAC 08.1204					11:15 NCR 1212					Filed over objection
11 NCAC 08.1205					11:15 NCR 1212					Filed over objection
11 NCAC 08.1206					11:15 NCR 1212					Filed over objection
11 NCAC 08.1207					11:15 NCR 1212					Filed over objection
11 NCAC 08.1208					11:15 NCR 1212					Filed over objection
11 NCAC 08.1209					11:15 NCR 1212					Filed over objection
11 NCAC 10.0602					11:15 NCR 1223					Filed over objection
11 NCAC 10.0603					11:15 NCR 1223					Filed over objection
11 NCAC 10.0606					11:15 NCR 1223					Filed over objection
11 NCAC 12.0551	10:18 NCR 2399				10:22 NCR 2831	*				11:05 NCR 283
11 NCAC 16.0703	10:18 NCR 2399				10:22 NCR 2832	*				11:05 NCR 284
JUSTICE										
<i>Attorney General/Company Police</i>										
12 NCAC 021.0101										11:04 NCR 208
12 NCAC 021.0206										11:04 NCR 208
12 NCAC 021.0210										11:04 NCR 208

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Alarm Systems Licensing Board

12 NCAC 11 .0202 10:24 NCR 3057

Criminal Justice Education and Training Standards Commission

12 NCAC 09A .0103 11:14 NCR 1109

12 NCAC 09B .0102 11:14 NCR 1109

12 NCAC 09B .0111 11:14 NCR 1109

12 NCAC 09B .0206 11:14 NCR 1109

12 NCAC 09B .0224 11:14 NCR 1109

12 NCAC 09B .0225 11:14 NCR 1109

12 NCAC 09B .0409 11:14 NCR 1109

12 NCAC 09C .0304 11:14 NCR 1109

12 NCAC 09C .0307 11:14 NCR 1109

12 NCAC 09C .0309 11:14 NCR 1109

12 NCAC 09C .0601 11:14 NCR 1109

12 NCAC 09C .0602 11:14 NCR 1109

12 NCAC 09C .0603 11:14 NCR 1109

12 NCAC 09C .0604 11:14 NCR 1109

12 NCAC 09C .0605 11:14 NCR 1109

12 NCAC 09C .0606 11:14 NCR 1109

12 NCAC 09C .0607 11:14 NCR 1109

Private Protective Services Board

12 NCAC 07D 11:10 NCR 818

12 NCAC 07D 11:16 NCR 1268

12 NCAC 07D .0100 11:16 NCR 1268

12 NCAC 07D .0104 11:16 NCR 1268

12 NCAC 07D .0201 11:10 NCR 818

12 NCAC 07D .0204 11:14 NCR 1108

12 NCAC 07D .0504 11:10 NCR 818

12 NCAC 07D .0701 11:10 NCR 818

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					Action	Date				
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 07D.0801		11:10 NCR 818								
12 NCAC 07D.0902		11:10 NCR 818								
12 NCAC 07D.1106		11:14 NCR 1108								
12 NCAC 04E.0103		11:11 NCR 881					11:17 NCR 1339	*		
12 NCAC 04E.0104		11:17 NCR 1336								
12 NCAC 04E.0401		11:17 NCR 1336								
12 NCAC 04E.0404		11:17 NCR 1336								
12 NCAC 04E.0405		11:17 NCR 1336								
LABOR										
Occupational Safety and Health										
13 NCAC 07A.0900		11:11 NCR 881								
13 NCAC 07F		11:03 NCR 106								
13 NCAC 07F.0101							11:03 NCR 119			
13 NCAC 07F.0201		11:03 NCR 106								
13 NCAC 07F.0201		11:09 NCR 568								
13 NCAC 07F.0301		11:03 NCR 106								
MEDICAL BOARD										
21 NCAC 32H		10:18 NCR 2400								
21 NCAC 32H.0101		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0102		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0201		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0203		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0301		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0302		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0303		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0401		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *
21 NCAC 32H.0402		10:18 NCR 2400					10:22 NCR 2835	*	Approve	04/18/96 *

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21 NCAC 3211.0403	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0404	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0406	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0407	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0408	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0409	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0501	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0502	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0504	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0505	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0506	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0507	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0601	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0602	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0701	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0702	10:18 NCR 2400	10:22 NCR 2835	*	Object	04/18/96				Returned to Agency 6/20/96
21 NCAC 3211.0801	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0901	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96	*			11:04 NCR 221
21 NCAC 3211.0902	10:18 NCR 2400	10:22 NCR 2835	*	Approve	04/18/96				11:04 NCR 221

NURSING, BOARD OF
21 NCAC 36 .0320 11:14 NCR 1109

21 NCAC 37D .0202	11:11 NCR 940
21 NCAC 37G .0102	11:11 NCR 940

PSYCHOLOGY BOARD

21 NCAC 54 .2704	11:04 NCR 236
21 NCAC 54 .2706	11:04 NCR 236

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PUBLIC EDUCATION

16 NCAC 01A.0001	10:23 NCR 2957	11:09 NCR 576	*	Object	11/21/96				11:05 NCR 286
16 NCAC 01A.0003	10:23 NCR 2957	11:09 NCR 576	*	Object	11/21/96				11:05 NCR 283
Standards Board for Public School Administration									
16 NCAC 07.0101	10:23 NCR 2957	11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07.0102	10:23 NCR 2957	11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07.0103	10:23 NCR 2957	11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07.0104	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0105	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0106	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0107	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0108	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0109	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0110	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0111	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07.0112	10:23 NCR 2957	11:09 NCR 576	*	Returned	11/21/96				
REAL ESTATE COMMISSION									
21 NCAC 58A.0101	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0104	11:07 NCR 408	11:11 NCR 935	*						
21 NCAC 58A.0105	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0109	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0110	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0302	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0503	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.0504	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.1501	10:22 NCR 2829	11:03 NCR 114	*						
21 NCAC 58A.1502	10:22 NCR 2829	11:03 NCR 114	*						

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REFRIGERATION EXAMINERS									
21 NCAC 58A.1601	10:22 NCR 2835		11:03 NCR 114	*					
21 NCAC 60.0204	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96			
21 NCAC 60.0207	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96			
21 NCAC 60.0314	11:05 NCR 272		11:10 NCR 839	*	Object	11/21/96			
REVENUE									
17 NCAC 01C.0504	10:20 NCR 2599		11:10 NCR 838	*					
17 NCAC 01C.0506	10:20 NCR 2599		11:03 NCR 113	*					
17 NCAC 05C.0102			11:09 NCR 582	*					
17 NCAC 05C.2101			10:24 NCR 3059	*	Object	11/21/96			
17 NCAC 06B.0612			10:22 NCR 2833	*	Approve	05/16/96	*		
17 NCAC 06B.3716			10:22 NCR 2833	*	Approve	04/18/96	*		
17 NCAC 07B.0118			11:12 NCR 998	*	Approve	04/18/96	*		
17 NCAC 07B.1101			10:21 NCR 2688	*	Approve	04/18/96	*		
17 NCAC 07B.1105			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1108			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1109			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1110			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1112			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1114			10:21 NCR 2688	*	Approve	04/18/96			
17 NCAC 07B.1123			10:21 NCR 2688	*	Approve	04/18/96	*		
17 NCAC 07B.1602			10:21 NCR 2688	*	Approve	04/18/96	*		
17 NCAC 07B.1602			11:12 NCR 998	*	Approve	11/21/96	*		
17 NCAC 07B.1701			10:21 NCR 2688	*	Approve	04/18/96	*		
17 NCAC 07B.1702			10:21 NCR 2688	*	Approve	04/18/96	*		

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17 NCAC 07B.1702			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B.1802			10:21 NCR 2688	*	Approve	04/18/96	*			11:04 NCR 212
17 NCAC 07B.1802			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B.2401			10:21 NCR 2688	*	Approve	04/18/96	*			11:04 NCR 212
17 NCAC 07B.2601			10:21 NCR 2688	*	Approve	04/18/96	*			11:04 NCR 212
17 NCAC 07B.3103			11:12 NCR 998	*	Approve	11/21/96				
17 NCAC 07B.3106			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B.4002			10:21 NCR 2688	*	Approve	04/18/96				11:04 NCR 212
17 NCAC 07B.4004			10:21 NCR 2688	*	Approve	04/18/96				11:04 NCR 212
17 NCAC 07B.4008			10:21 NCR 2688	*	Approve	04/18/96	*			11:04 NCR 212
17 NCAC 07B.4202			11:12 NCR 998	*	Approve	11/21/96				
17 NCAC 07B.4301			10:21 NCR 2688	*	Approve	04/18/96	*			
17 NCAC 07B.4408			10:21 NCR 2688	*	Approve	04/18/96	*			
17 NCAC 07B.4501			11:12 NCR 998	*	Approve	11/21/96				
17 NCAC 07B.4902			10:21 NCR 2688	*	Approve	04/18/96	*			
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21 NCAC 63.0306			10:21 NCR 2739	11:03 NCR 118	*	Approve	11/21/96			
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21 NCAC 69.0101	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*						11:14 NCR 1156
21 NCAC 69.0102	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96				
21 NCAC 69.0103	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Object	09/19/96				11:16 NCR 1291
			11:08 NCR 523	*	Approve	10/17/96	*			
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21 NCAC 69 .0104	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96				11:14 NCR 1156
21 NCAC 69 .0201	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96	*			11:14 NCR 1156
21 NCAC 69 .0202	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96				11:14 NCR 1156
21 NCAC 69 .0301	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96				11:14 NCR 1156
21 NCAC 69 .0302	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96				11:16 NCR 1291
21 NCAC 69 .0303	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Object	09/19/96	*			11:16 NCR 1291
21 NCAC 69 .0304	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*			11:16 NCR 1291
21 NCAC 69 .0305	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	09/19/96	*			11:16 NCR 1291
21 NCAC 69 .0306	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*			11:16 NCR 1291
21 NCAC 69 .0307	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	09/19/96	*			11:16 NCR 1291
21 NCAC 69 .0308	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*			11:16 NCR 1291
21 NCAC 69 .0401	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Object	09/19/96	*			11:16 NCR 1291
21 NCAC 69 .0402	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*			11:16 NCR 1291
21 NCAC 69 .0501	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96	*			11:14 NCR 1156

STATE PERSONNEL COMMISSION

25 NCAC 01D 2501	11:13 NCR 1062
25 NCAC 01D 2503	11:13 NCR 1062
25 NCAC 01D 2504	11:13 NCR 1062

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25 NCAC 01D.2505					11:13 NCR 1062					
25 NCAC 01D.2507					11:13 NCR 1062					
25 NCAC 01D.2508					11:13 NCR 1062					
25 NCAC 01D.2509					11:13 NCR 1062					
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25 NCAC 01E.0707					11:14 NCR 1110					
25 NCAC 01E.0709					11:14 NCR 1110					
25 NCAC 01J.0613					10:23 NCR 2960					
25 NCAC 01J.0613							Approve	03/21/96		11:01 NCR 26
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21 NCAC 68			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0101			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96		11:04 NCR 238
21 NCAC 68.0102			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96		11:04 NCR 238
21 NCAC 68.0201			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96		11:04 NCR 238
21 NCAC 68.0202			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0203			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0204			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0205			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0206			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0207			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96		11:04 NCR 238
21 NCAC 68.0208			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0209			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0210			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238
21 NCAC 68.0211			10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*	11:04 NCR 238

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21 NCAC 68.0212	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0213	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0401	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0402	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0403	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0404	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96				11:04 NCR 238
21 NCAC 68.0405	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0406	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0407	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0701	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0702	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0703	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0704	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0705	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96				11:04 NCR 238
21 NCAC 68.0706	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0707	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
21 NCAC 68.0708	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96				11:04 NCR 238
21 NCAC 68.0709	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			11:04 NCR 238
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19A NCAC 06B.0401	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0402	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0403	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0404	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0405	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0406	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0407	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0408	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B.0409	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				

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19A NCAC 06B.0410	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
19A NCAC 06B.0411	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
19A NCAC 06B.0412	10:23 NCR 2957				11:05 NCR 279	S	Object	08/15/96	*	11:14 NCR 1156
19A NCAC 06B.0413	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/19/96	*	
19A NCAC 06B.0414	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
19A NCAC 06B.0415	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
19A NCAC 06B.0416	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
19A NCAC 06B.0417	10:23 NCR 2957				11:05 NCR 279	S	Approve	08/15/96		
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19A NCAC 02D.0425						Approve	08/15/96			11:12 NCR 1006
19A NCAC 02D.1101	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96		
19A NCAC 02D.1102	10:23 NCR 2957				11:05 NCR 274	*	Object	08/15/96	*	11:14 NCR 1156
19A NCAC 02D.1103	10:23 NCR 2957				11:05 NCR 274	*	Approve	09/19/96	*	
19A NCAC 02D.1104	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96	*	11:12 NCR 1006
19A NCAC 02D.1105	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96	*	11:12 NCR 1006
19A NCAC 02D.1106	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96		
19A NCAC 02D.1107	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96		
19A NCAC 02D.1108	10:23 NCR 2957				11:05 NCR 274	*	Object	08/19/96	*	11:14 NCR 1156
19A NCAC 02D.1109	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96	*	11:12 NCR 1006
19A NCAC 02D.1110	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96	*	11:12 NCR 1006
19A NCAC 02D.1111	10:23 NCR 2957				11:05 NCR 274	*	Object	08/15/96	*	11:14 NCR 1156
19A NCAC 02D.1112	10:23 NCR 2957				11:05 NCR 274	*	Approve	08/15/96		
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19A NCAC 03E.0501	11:01 NCR 13				11:07 NCR 416	*	Approve	09/19/96	*	11:14 NCR 1156
19A NCAC 03E.0502	11:01 NCR 13				11:07 NCR 416	*	Approve	09/19/96	*	11:14 NCR 1156

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19A NCAC 03E .0513	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*			11:14 NCR 1156
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19A NCAC 03E .0515	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*			11:14 NCR 1156
19A NCAC 03E .0518	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*			11:14 NCR 1156
19A NCAC 03E .0519	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96				11:14 NCR 1156
19A NCAC 03E .0522	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*			11:14 NCR 1156
19A NCAC 03J .0101	11:11 NCR 882		11:17 NCR 1340	*						
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